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A STUDY OF THE PRINCIPLES OF POLITICS

BY THE SAME AUTHOR

THE SCIENCE AND METHOD OF POLITICS
THOMAS HOBBES: AN INTRODUCTION

A Study of the
PRINCIPLES OF POLITICS

BEING AN ESSAY TOWARDS
POLITICAL RATIONALIZATION

BY

George E. G. Catlin
M.A., Ph.D.
Professor of Politics in Cornell University
Sometime Exhibitioner of New College, Oxford

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TO

EDWARD BRADFORD TITCHENER

AND

GRAHAM WALLAS

PREFACE

THE present volume brings to its conclusion a work first sketched out in the winter of 1918, when the writer was billeted near Mons, and of which part has already been published in an earlier volume, entitled *The Science and Method of Politics*. The work was undertaken in the first case with a view to discovering the forces at work which form the anatomy and determine the physiology of States. It was not long, however, before it became apparent that not States, but Society, must be the object of study if any satisfactory progress were to be made, and especially if the inquiry were to be radical enough to disclose, and indicate the means of controlling, the causes which conduce to such social disorders as war. If the writer has anything to recant, it is perhaps his undue optimism that this lethal poison, from which bodies politic suffer, has worked itself out of our system for at least this generation, and that our task is the purely academic one of analysing the causes leading to the outburst of 1914–18.

The subject might well have been treated from a very different point of view. It is, however, my strong conviction that, valuable although it be of itself, the approach to politics from the angle of political philosophy and of the humanities is less important for the needs of the present day than an approach from the angle of psychology and of statistics. The time may again come when we shall ask of the student of politics, as Campanella demanded of his ruler of the City of the Sun, proficiency in history, metaphysics, and theology—but, at the present moment, other qualifications are required. We need preëminently, in this decade, not a further synthesis, but a further analysis of our ideals, and to reinvigorate our minds from the wells of direct observation. As Professor Graham Wallas has recently said: "We must learn not to apply antique ideas to new sets of problems. We must recognize the limitations of our own rational processes and that they are confused with many irrational inclinations. . . . Political problems cannot be considered as simple as the 'intellectualists' thought them, but must be treated as complex and subtle." Reconstruction must be attempted, not rashly from received opinions ably fitted together into a coherent system, but, more modestly and in a fashion, as Lord Bacon has warned us, more befitting scientific inquiry, from such few ascertained and reliable facts as we may be able to discover which are of universal significance for our subject and its problems.

The writer is aware that it is possible to interpret with great vividness the political field in the light of man's loyalties—loyalties to King and country, to nation and national character, to international peace and the claims of humanity, to one's class and class-unity, to one's Church and the supreme demands of that spiritual life which is the condition of salvation. At different times and in different places one or another of these loyalties has been stressed. But at a time when these loyalties, once so clear, are themselves bitterly in dispute, little advance is made by an interpretation so subjective and all too human. It may be that much in the following pages will prove offensive to tender consciences. But the method adopted has been based upon the assumption that neither physical nature nor human nature is best studied scientifically by those who have a prejudice in favour of writing a theodicy. The fundamental problem is that of control; the indispensable means is that of investigation without pre-judgment of the results. This is not to deny that the surgeon or the chemist should be possessed even by a fanatical enthusiasm for the relief of human suffering; it is to say that surgeon and chemist need a steady hand and cold judgment when the one performs an operation or the other sets up an experiment.

This book has no pretension to have been written without prejudice about ends and ideals. But it is to be hoped that the prejudice has not vitiated the treatment of means, methods, and first principles. "To understand what has happened," says Buffon, "and even what will happen, it is only necessary to examine what is happening." Such a study can be made, the conclusions of which may be common ground to those who hold the most opposite of views about what ought to be done. Such a study has here, in a limited and preliminary way, been attempted. Some will be able to draw from it the deduction that the problem of politics is essentially a problem of will and of the organization of humanity into strong social organizations, with a view to supplying the goods of civilization, thanks to the control of public opinion by potent myths, such as the Fascist myth. Others, on the contrary, will draw the conclusion that no less is required than the deposition of the National State, which has acquired in a past epoch (the period from Danton to Bismarck) the preeminence which it still enjoys as almost the sole purveyor of the means of the good life, and its replacement by an organization more adapted to supply the needs of society, living under the conditions of this day and age—needs of peace, security, and welfare. The dispassionateness required in such a study in no way contradicts the truth of Tolstoy's remark that, when one comes to practice, "one may deal with things without love . . . but one cannot deal with men without it".

The philosophic schools of Kant and of Hegel are in perpetual conflict. The task of the present is to reconcile their social philosophies by admitting both opposite truths as true, to reconcile them in terms of a fresh observation of the facts of human nature and of the antinomies in human nature. The task of the present is to continue and to enlarge the work of Bentham by building up a science of social relations and formations on the basis of which alone can be founded a satisfactory art of social regulation. To this task many are contributing during these present years, which are marked by an interest unparalleled for a century in political and social questions. The following work upon which the writer has ventured, supported by experience not only as a university teacher, but as an erstwhile civil servant and as a political research worker, is offered as a further stone, it is hoped of some value for constructive purposes, in the building of this edifice—if one will, of a new "dismal science".

Sufficient has perhaps been said in the text in defence of the adoption of an "abstract" method—if, indeed, an abstract method in science, as distinct from philosophy, history, and poetry, still needs justification. There is, however, one point on which it is perhaps desirable to forestall criticism by a remark here. It may not unreasonably be said that this book is little more than a restatement in modern terms of the rationalist theory of the Éclaircissement, and as such is guilty of the exploded individualism and belief in enlightened self-interest of that period. It may, therefore, be as well to point out, straight away, that the theory here set forth is entirely consistent with the denial of any narrow egotism as the controlling factor in guiding the will, as well as with a political philosophy which seeks to control society by means of an appeal to the emotions and less purely rational elements in man. Moreover, "will", which applies, with certain psychological reservations, as well to a group as to a solitary person, has been deliberately used, instead of the word "individual", in order to avoid this error. The present theory is solely one of control, and it is a matter of indifference whether the purpose of the control be public-spirited or egoistic, or whether the effective means used be an appeal to the "baser instincts", to "shop-keepers' reasoning", or to the highest idealism inculcated by a well-considered philosophy and education. With these reservations, no apologies seem to be needed for an attempt to revive the political tradition of Machiavelli, Hobbes, d'Holbach, and Bentham in a fashion perhaps consistent with modern psychology and with especial reference to the "instrumental" philosophy of John Dewey.

It may further be objected that this is a treatise on Sociology, misdescribed as Politics. In the mind of the writer, Politics and Sociology (according to the most satisfactory definition of this latter) are inseparable and, indeed, identical subjects. It is, of course, possible to use the word "Sociology" as synonymous with the corpus of the social sciences, or even with the social sciences and their ancillary historical studies; or to follow after the will-o'-the-wisp of a "fundamental science"; or to return to the unhappy philosophical adventures of Comte and Spencer. The writer sees no objection to calling the science of social inter-relations by the good Aristotelean name of Politics, and even confesses to a perhaps unhappy prejudice against such hybrids as Sociology, Sexology, Penology, and the like. It is not, however, incumbent to enter again upon a discussion which ends by becoming a barren strife of words, so long as it is made perfectly clear that there can be no science of politics which is not founded upon a study of the permanencies in social relations.

This book is gratefully dedicated to a great psychologist, the late Professor E. B. Titchener, to whose advice and approval is due the fact that the writer has persisted in the adoption of the hypothetical method, and to Professor Graham Wallas, to whose genial encouragement the writer, in common with so many other students of social affairs in this generation, owes so much. He is also under a profound debt of gratitude to several friends, especially to Professor A. M. Carr-Saunders, Professor Harold J. Laski, and Professor Frank Thilly for suggestions, and to Mr. Henry H. Price, Fellow of Trinity College, Oxford, for his invaluable assistance in the work of revision. Needless to say, the writer assumes sole responsibility for any error which may occur and for the opinions expressed, many of which he has obstinately persisted in despite due warning.

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PART I

CHAPTER I

SCIENTIFIC METHOD IN POLITICS

Is Politics a Science? Politics is a science in the sense that it is a body of knowledge that admits of statement, as much as Economics, in general laws. These laws are capable of empirical verification no less than the economic law of the inverse ratio between supply and price where demand is constant.[1] It will be the object of this book to endeavour to justify so bold a statement. That it needs justification no reasonable person will doubt. For, despite the well-remembered treatises of Sir Frederick Pollock and Sir John Seeley,[2] with their

[1] Doubts have been thrown recently on the whole basis of economics, as an exact science clearly distinct from ethics (Ashley: *Introduction to English Economic History*, 1919, I, p. 137). F. Neumann (Naturgesetz und Wirtschaftsgesetz, *Zeitschrift für die gesamte Staatswissenschaft*, vol. xlviii, pp. 435–42) expressed these same views in 1892 in opposition to the neo-classical Austrian school. Mr. J. A. Hobson has shown us how economic theories, professedly scientific, have been either the product or the justification of certain assumptions about the moral and social order accepted at a certain epoch (*Free Thought in the Social Sciences*, 1926). The onslaught of this historical and institutional criticism upon the classical economy has, however, by no means resulted in proving that the formulation of the laws of economics, because conditional in their application, can be discarded with advantage. The most recent movement seems to be, while allowing for the play of other impulses than that of acquisitiveness, and regarding the operation of economic laws based on this psychological hypothesis as a matter rather for control than for reverent admiration, to admit the utility, in the effective explanation of experience, of the hypothesis itself and of the deduced laws (Z. Dickinson: *Economic Motive*, 1922, pp. v and 205; *The Trends of Economics*, ed. by R. G. Tugwell, 1924, pp. 75–8). "It may be . . . that economists are more sceptical to-day than they were in the time of James Mill and MacCulloch as to the possibility of applying the simple forms of abstract political economy immediately to an extremely complex reality: it may be that they have been wise in having multiplied their monographs and their statistical researches. . . . In so far as political economy becomes a science, it will come nearer to the form which it was given by its founders, the contemporaries and friends of Bentham" (E. Halévy: *La Formation du Radicalism Philosophique*, trans M. Morris, 1928, p. 498). *Vide* also D. H. Robertson's criticism of Professor Cannan's *Review of Economic Theory*, in the *Nation*, October 12, 1929.

[2] Sir F. Pollock: *Introduction to the History of the Science of Politics*, 1890; Sir J. R. Seeley: *Introduction to Political Science*, 1896.

striking titles, it cannot be said that Politics, or, for that matter, Sociology, is at present generally admitted to have vindicated its claim to be scientific in any precise sense of that too often abused word.[1]

Politics is not merely a science in the sense in which we speak of the science of venery or of the pugilistic science. If it were no more than this, the phrase "political science", which Godwin and Mary Wollstonecraft introduced,[2] should be banished from our vocabulary. But we must not permit ourselves to be satisfied with the long over-mellow platitude that it is not a science but an art. The practice of politics, as that of medicine or of architecture and engineering, is clearly an art. But is the brain which guides the talented hand of the statesman instructed by knowledge no more systematic than a ready intuition and the information of the moment? Political science surely, as Hobbes says, "consisteth in certain rules, as doth Arithmetique and Geometry, not (as Tennis-play) in practise only". Is not there room for sounder generalizations, for generalizations which are of so systematic a nature that they merit, as explanations of the political process, the title of laws? In this event a political science, properly so-called, would minister to practical political needs, as economic science ministers to the convenience of the merchant prince or of the international financier, without yet being merely descriptive or a collection of "tricks of the trade". We must, then, follow Bentham in looking for "a logic of the will, as well as of the understanding".[1]

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[1] G. Mosca: *Elementi di Scienza politica*, 1923, pp. 4, 6: "A science is the product of a system of observations made on a given order of phenomena, with special care, appropriate methods, and so coordinated as to raise them to the level of an indisputable truth, not apprehensible by ordinary, superficial observation. . . . We do not think that political science in its present condition has yet genuinely entered upon the scientific stage."

[2] W. Godwin: *Political Justice*, Bk. II, ch. i, and Bk. IV, ch. v. The idea is, of course, much earlier. It appears in Hobbes' resolution to demonstrate everything (*English Works*, ed. Molesworth, II, p. xxii)—to reduce all "to the rules and infallibility of reason" (IV, p. xiii); in the title which Vico gave to his evolutionary philosophy of government; and in Hume's Essay, "That Politics may be reduced to a Science". The phrase is taken up by Burke ("an experimental science like medicine and physiology": *Reflections*, Works, v, p. 123), James Mill and J. S. Mill (*Logic*, Bk. VI, ch. vi, § i),

Political theory,[2] as distinct from political thought, merits our serious attention in a busy world just in so far as it contains the germs of a science in the strict sense in which chemistry is a science, and is not merely the opinions of literary men less acquainted with the real nature of political problems than many of those whom they seek to instruct. That is not to say that political theorists have been without influence. Political philosophy, through John Locke, influenced political literature; political literature, through Voltaire, influenced political journalism; and political journalists, such as Brissot, are not incompetent to inflame a people and to fan a revolution. Even Sir Henry Maine, a conservative made more tough by the Indian sun, cannot deny that Jean Jacques Rousseau, a sentimental vagabond, "without learning, with few virtues, and with no strength of character", has "stamped himself ineffaceably on history". Nor would any wise man seek to belittle the respect due to such philosophers as Hobbes and Hegel, Spinoza and (shall we add?) Spencer. But although we listen with deference to the sayings of these masters of thought, or to the sinister-named Niccolò Machiavelli, or to the "divine Plato", or to "the Philosopher" himself, our attitude will yet be very different from that which we should adopt if we thought that, in this inquiry, we were on the track of a method of studying the structure of society as a chemist studies the structure of a molecule.[3]

[1] J. Bentham: *Introduction to the Principles of Morals and Legislation*, ed. 1876, p. xiii.

[2] "Political theory is the speculation of individual minds . . . political thought is the thought of a whole society. . . ." (E. Barker: *Greek Political Thought, Cambridge Classical History*, VI, p. 507.)

[3] "Unless ideals are to be dreams and idealism a synonym for romanticism and phantasy-building, there must be a realistic study of actual

Whether political theorists have as yet found the clue to any such science is a matter of opinion. But it seems to be a fair interpretation to suppose that Aristotle, Machiavelli, Hobbes, and others have all been seeking something more positive than a sketch of political ideals and more systematic than disconnected wise sayings. In probing, therefore, still farther to discover some system in the way of the working of things (and such probing is the foundation of every true science), we are at least acting fully in accord with the spirit of the mightiest theorists of the past. Those keen thinkers, Hobbes, Spinoza, Hume, all demand of us this meticulous exactitude, and not vague, grandiose world-views of social welfare and of human liberty.

We shall do ill to forget the example of such great masters, even although their appeal to positive history or to mathematical demonstration suffered from lack of a sound technique and was, in effect, abortive and premature. Thus Machiavelli, who set out to "go straight to the truth lying at the back of the matter",[1] and who urged that men should turn to the study of history in order to learn the enduring rules of human conduct, ended as the new Tyrtaeus of Italian patriotism.

Let us return, then, from theories of state and philosophies of civilization to the human atom.[2] The atom of matter by location in a given time and place has a certain individuality which is yet of no significance for

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conditions and of the mode of law of natural events" (J. Dewey: *Human Nature and Conduct*, p. 70). "The baldest and least promising" (disciplines) "were the mathematical ones; but the history of the latter's application is a history of steadily advancing successes, while that of the sentimentally richer ones is one of relative sterility and failure. Take those aspects of phenomena which interest you as a human being most . . . and barren are all your results" (W. James: *Principles of Psychology*, II, p. 606).

[1] N. Machiavelli: *Il Principe*, ch. xv: "andare dietro alla verità effettuale della cosa".

[2] H. Spencer: *Social Statics*, ed. 1893, p. 14; cf. Floyd H. Allport: *Social Psychology*, 1924, p. 9: "if we take care of the individuals, psychologically speaking, the groups will be found to take care of themselves".

the purposes of science. Similarly, whether a man be Smith or Jones, Caesar or Napoleon, does not affect the psychological truths about men in any age or place, or the more fundamental political laws which they observe in their action. How, of course, a man will act, subject to the conditions of those laws, depends a very great deal upon whether he is Jones or Napoleon. But how in detail, apart from the aspect of conduct under study, the particular unit acts, whether it be the atom of the chemist or the ant of the entomologist, or the man in relation to his fellows studied by the sociologist, is indifferent to any science.[1] Science, by a necessary economy, ignores the accidental diversity for the sake of the substantial uniformity, just as, conversely, poets can discover a fundamental individuality in some drab example of a common type.

An attempt, which will not be recapitulated, has been made elsewhere[2] to show that the idea of a science of politics is free from inherent objections. It need here only be pointed out that nature in things, in the leaf on the tree and in the water in the stream, presents as infinite a diversity as does nature in man. But, amid the diversity, there is a certain likeness of form, whether it be in the growth of all plants in what the botanist distinguishes as being of one species or in those uniformities which are reduced to rule in the laws of hydrodynamics. So in human methods the same uniformity is observable if we turn away from the many-hued variety of life, declare frankly that we are not philosophers concerned with realities, but scientists concerned, like all other scientists, with hypotheses and with an apparatus of abstractions,[1] and consider only how men go about to give effect to certain persistent desires or to attain certain stated objects. Nor is the argument affected by that abrupt distinction, cutting the Creation in two, which is made by many between conduct inspired by the consciousness of purpose of immortal souls and the conduct of brute beasts moved by chemical tropisms or pricked by the stimulus of the immediate environment. Whether the human being be impelled, attracted, or conative is for us but a scholastic dispute compared with the importance of the observation that, to attain the goal, there are certain means which he can, and certain means which he cannot follow.[2]

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[1] "'Water', in ordinary experience, designates an essence of something which has familiar bearings and uses in human life, drink and cleansing and extinguishing fire. But H_2O gets away from these connections, and embodies in its essence only instrumental efficiency in respect to things independent of human affairs" (J. Dewey: *Nature and Experience*, p. 193). Cf. J. S. Mill: *Essays on Some Unsettled Questions in Political Economy*, 1884, pp. 137–9: "Political economy . . . predicts only such of the phenomena of the social state as take place in consequence of the pursuit of wealth. It makes entire abstraction of every other human passion or motive; except those which may be regarded as perpetually antagonizing principles. . . . Economy considers mankind as occupied solely in acquiring and consuming wealth." But although, as Isaac d'Israeli said, "man is considered only as he wheels on the wharf or spins in the factory", Mill continues, "not that any political economist was ever so absurd as to suppose that mankind was really thus constituted, but because this is the mode in which science must necessarily proceed."

[2] See the writer's *Science and Method of Politics*, Kegan Paul, 1927, Pt. II, ch. i.

With similar situations repeatedly arising in the outside world, and with a certain common quality in those impressions and emotions of different men, called human nature, the methods of attaining given ends in life will be seen to be emphatically restricted and subject to conditions. That fact is the foundation of our political science. That we make no assumptions about the purposiveness or conscious intelligence of the human will for the purpose of this science is not to give the lie to our profound belief that a science of politics is one of the most hopeful instruments for the more intelligent and (if one will) purposive ordering of society, and is chiefly interesting for that reason. But the condition of an endeavour to realize what is ideal is a due understanding of what is possible.

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[1] M. Weber: *Wirtschaft u. Gesellschaft*, 1922, p. 14: "Mit diesen Typen des Ablaufs von (sozialen) Handeln befasst sich die Soziologie, im Gegensatz zur Geschichte als der kausalen Zurechnung wichtiger, d. h. schicksalhafter, Einzelzusammenhänge."

[2] H. Sidgwick: *The Elements of Politics*, 1897, pp. 8 ff. Cf. the writer's "Is Politics a Branch of Ethics?" *The Monist*, July 1927.

The revolution wrought by Copernicus consisted in deposing man and his earth from being the God-ordained centre of the universe, and in putting man in his place, as God's creature, in the physical universe and in relation to the vast mass of the sun and the more stupendous magnitude of the stars. Recent thinkers of distinction have rightly pointed out that, owing to the aloofness of astronomy from the preoccupations of the ordinary man, the attendant revolution in the world of thought has been carried through in very imperfect measure. Men still regard themselves as so abruptly separated from the world of inorganic matter that scientific methods appropriate in the one case appear to them meaningless in the other, while the struggle to separate sharply the human world as a special creation still persists. Biology has indeed cut nearer to the quick than astronomy the persistent belief that man loses the privileges of his spirit when his corporeal self and its habitation are no longer awarded a prerogative position.[1] Few men have the confidence of a Meister Eckhart in the reality of the spiritual life as an aspect of Being itself, or can, with the magnanimity of a Spinoza, greet the universe as divine, or, with the virility of a Hegel, acclaim it as rational. For the most part men are horribly afraid of this universe wherein the human race is precisely the most recent genus among the fauna upon a piece of cosmic grit, and where they wander pathetically disconsolate and dread the time for their departure. The true transcendence of material fetters by a new poetical or mystical attitude of mind demands too much of them, and but few exclaim with Augustine *cor nostrum inquietum est donec requiescat in Te*. This materialistic attitude is, however, not one that expresses the loftiness of the human soul, but the smallness of that human imagination which attaches too much importance to the damage which the hypotheses of science can do to the immediate enjoyment of things true, good, and beautiful.

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[1] Spinoza: *Tractatus Politicus*, trans. Elwes, i, p. 292: "For a man, whether wise or ignorant, is a part of nature . . . and does nothing, either from reason or from desire, except according to the laws and rules of nature." Cf. Herbert Spencer's remark: "That which is really needed is a systematic study of natural causation as displayed among human beings socially aggregated." Dean Inge (*Outspoken Essays*, 2nd series, p. 8) joins in this denunciation of dualism: "No theory which separates man from the world of which he is an organic factor ought to satisfy us." For the ancient prejudice against this attitude, cf. the comment of Tylor: *Primitive Culture*, 1903, I, *ad init.*

A profitable study, then, of Politics, such as will result, not in disputable opinions, but in a scientific appreciation of the patterns of behaviour in accordance with which men in fact do act, must not proceed on the Ptolemaic supposition of men as the self-ruled lords of things, with a social philosophy of human beings with free wills, as uncaused causes, acting in an unpredictable fashion as so many individual centres of action.[1] It must start with the supposition of a social world of which the individual is a mere atom, in which the human race is found to desire certain things which, under given conditions, it can only attain by methods susceptible of study and statement.

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[1] This matter the writer has discussed at length elsewhere. He is in no position to offer objection to the radical indeterminism advocated by certain physicists (A. S. Eddington: *The Nature of the Physical World*, 1928, p. 332) as applicable to the inorganic world, although he confesses that, at the moment, it seems to him that this philosophy, like Hume's, can only give ground for a profound pessimism. All he wishes to stress is that there is no reason for holding any method to be vitiated which proceeds upon the assumption that human nature is *as much* governed deterministically as is physical nature; the argument is not against pampsychism or indeterminism—or "semi-determinism" (N. P. Williams: *Ideas of the Fall and of Original Sin*)—or even against dualism, but against a dogmatic dualism which precludes attempts to employ in politics naturalistic methods. If, however, we admit indeterminism, in our field, not only as a statement of the truth about the philosophic reality (with which science is not concerned), but also as limiting the possibility of stating ideal laws, it will be necessary to operate with "generalizations upon statistical averages" (cf. M. T. Collins: "The Mechanical versus the Statistical Interpretation of Natural Law", *Philosophical Review*, xxx, p. 255 ff.) instead of with "conditioned laws" (laws *als ob*). For the moment, as a personal preference—which does not, however, appear in the present connection to be of practical moment—we adhere to the philosophy which holds that that

"Magnus ab integro saeclorum nascitur ordo."

The Psychological Postulate. The argument hitherto has been that we should be chary of basing science on the evasive world of ideas, values, choices, and purposes. This latter attempt is the idealistic alternative to any endeavour to establish a positive political science. The opposite criticism may now be made. Have we not assumed too much stability? Have we not ourselves constructed ideal types? We have assumed two constants: the recurrence of like situations and the persistence of like human impulses—in brief, a human nature. But, it may immediately be asked, does not the assumption of such uniformities involve the rash presumption that there is such a thing as Man, with an unchanging nature and with certain eternal characteristics of his kind, permanent pleasures and natural rights? And is not this premise false? The fact, it may be said, is rather that mankind is a product of evolution from non-human forms and that men are still in process of evolution. Human history records an infinite variety of cultures and social habits. Contemporary anthropological study shows civilizations at all stages of development from that of the Andaman Islander to that of France and the greatest difference of national characteristics. The observation of the profound contradictions in the moral customs of men is as old as Herodotus, while the diversity among men's characters and motives is a matter of everyday remark.

The objection is grave, but not insuperable. Evolution is not peculiar to the human race. And although there may well be a more subtle difference between man and man than between leaf and leaf, that anatomical similarity between individual and individual which enables us to speak of man at all is not without its psychological counterpart in the similarity of human motives. "Human nature is the same the world over."[1] Evolutionary distinctions of culture, habits, or morals, do not cut so deep as to sever into fragments human nature itself; the universal has no less reality than the particular. And it is the privilege of science, while not denying, yet to ignore the particular, and to concentrate its attention on the universal. In this the assumptions of our political methodology accord with common sense and with popular parlance. It is, then, legitimate to take these major human impulses as constants, and while leaving the discussion of "purpose" to metaphysician and psychologist, to take over these impulsive desires hypothetically, and to make what is the object of discussion in Psychology an axiom in Politics.[2] Similarly, Euclidian geometry has made the moot points of metaphysics, which are questionable even in higher mathematics, the useful axioms of its science.

It may, however, be urged that any hypotheses which would simplify human nature and generalize about it may be *convenient* for scientists, but will belie all that psychology and sociology have taught us during the last century, since Bentham enunciated his famous thesis[1] that pleasure and pain are the "two sovereign masters of mankind".[2] Admit that there is a "human nature"; it means nothing unless we follow the psychologists from Theophrastus to Hume and from Hume to Jung and enumerate specific emotions and sentiments. But modern psychology forbids us to copy Hobbes or Helvétius, Bentham or Tarde, and select some one of these specific instincts, impulses, or sentiments—the capacity for anger, or the fear of pain, the love of power or of pleasure, the instinct of imitation or even the illumination of intelligent self-interest—as the dominant and prime interpretative principle of human nature. Psychology insists upon the part which the great racial instincts play alongside of individual, conscious purpose, and yet denies to any of these instincts or reaction patterns a primacy. To select one of them, such as the instinct which Dr. McDougall labels as that of self-assertion, and to use it as an interpretative principle of experience would be to falsify the explanation.

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[1] "The sameness is in all cases much greater than the diversity; the essential characteristics of humanity are mightier than climate, education, habit, society, government, and events" (*Westminster Review*, I, January 1824). It will, however, be noted that this assumption of universal elements in human psychology is in the text made strictly a matter of hypothesis—a caution the more necessary in view of the sceptical attitude of such writers as W. H. R. Rivers (*Psychology and Politics*, 1923, pp. 16, 19).

[2] In the use of terms I have endeavoured to distinguish between "purpose", as the active form, and the contemplative "wish", both being contentual and involving an imagination of what is wished or purposed. "Desire" I have treated with Shand (*The Foundations of Character*, 1914, p. 518) as abstract and formal: "desire has no determinate end; it only has some end". Over against the contentual "wish" and "purpose" (the latter regarded as an impulse elevated to consciousness in the imagination and impelled *a tergo* into action) I have placed, therefore, the formal "desire" common to all wishes, and its active phase "will" (as desire impelled to struggle to realize its wish in the objective world). I can see no objection to a "desire" without anything so distinct as a "wish", and to a "will" without anything so raised into consciousness as a "purpose". At least the formal "will" admits of treatment independent of the contentual "purpose".

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[1] Anticipated, indeed, by Mercier, Mandeville, Hobbes, and a long tradition.

[2] Cf. on the contrary, Professor Giddings: *Principles of Sociology*. 1926, p. 12: "there has been a tiresome endeavour to enumerate all the motives that actuate man in his varied relations, and in the satisfaction of all his wants, as if all motives were of coordinate importance to sociology. The result is not the reasoned knowledge that is science. . . . Political economy does not construct its doctrine of conduct by inventory, but by invention. . . . If sociology expects to attain scientific precision it must follow this significant example of the value of consistent method." This comment is significant as coming from as distinguished an exponent of sociology as any living. Cf. G. de Greef: *Les Lois Sociologiques*, 1893, p. 4; and, especially, G. Simmel: *Soziologie*, 1923, ch. i, also "The Problem of Sociology", *Annals of the American Academy*, 1895, VI, p. 414 ("Sociology should treat of the specifically social, the process and forms of socialization"). Although this book follows Simmel in his proper distinction between the scientific form and the historical content (the distinction between the fields of biology and of natural history, of Economics and of economic history, etc.), Simmel falls into the error of endeavouring to found a sociological science of pure concepts, falsely holding that the specific social sciences already monopolize the entire field of concrete social studies. In fact, however, Economics and Genetics are non-historical disciplines which are yet not specific studies to a general and "fundamental" science of human inter-relations, whereas it is here suggested that Politics is precisely such a study of inter-relations, embracing, however, within its province the experimental study of the concrete. Yet "Simmel's sociological studies show clearly that a special science dealing with the phenomena of interaction is possible and desirable" (T. Abel: *Systematic Sociology in Germany*, 1929, p. 48—an excellent little critical survey; cf. also P. Sorokin: *Contemporary Sociological Theories*, 1928, p. 489 ff., and N. J. Spykman: *Social Theory of Georg Simmel*, 1925).

This argument seems to the writer to be fundamentally mistaken. All scientific work involves a certain simplification and rests upon hypothesis.[1] The hypothesis is an instrument of interpretation. It is entirely legitimate so long as we remember that it is merely an hypothesis and avoid the dogmatism of the Encyclopaedists and early Utilitarians.[2] The test of the hypothesis is not *a priori* but pragmatic. The interpretative hypotheses of Hobbes,

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[1] H. Poincaré: *La Science et l'Hypothèse*, ed. 1923, pp. 178 ff. Certain critics, to whose other useful suggestions I am indebted, have stated their opinion that I am guilty of "denigrating psychology" and of resuscitating the outworn dogmatisms of Hobbes or of Bentham. In fact, however, far from wishing to under-estimate the contributions of modern psychology or to over-estimate the importance of Bentham, the theories which I have ventured to advance are heavily, although not, I hope, uncritically, indebted to Ratzenhofer and to the Austrian school of the close of the last century, and to Alfred Adler, the contemporary and rival of Freud—an indebtedness which I have elsewhere acknowledged. If I have perhaps offered too little incense at the shrine of social psychology, so far as it is more than common sense, it is not from any prejudice against "the American science", but because, being a political scientist and not a psychologist, I have respected the caution given me by that great psychologist and pupil of Wundt, the late Professor E. B. Titchener, against a rash acceptance of conclusions in a field over which hot disputes rage among psychologists themselves. It is here sufficient to refer to the conflict between the views of McDougall and Allport. "Psychology", says Professor Allport (*Social Psychology*, p. 4), "in all its branches is a science of the individual. To extend its principles to large units is to destroy their meaning." Cf. W. B. Munro: "Physics and Politics", *Amer. Pol. Sci. Rev.*, II, 1928, p. 8: "Yet we are sometimes told that 'political science must wait on social psychology'. If so, it will be a long wait." The essence of the matter is that psychology is not truly concerned to develop the same field as politics, but has a distinct and more fundamental province of its own.

[2] But cf. Halévy: *op. cit.*, p. 495.

Bentham, and Freud may be not only unpalatable, but may be demonstrated by the development of psychology to be too narrow to give good results. It does not follow that their interpretative methods were wrong or should be abandoned.

It is, then, our proper task, since we are concerned not with a history or with a philosophy but with a science, to frame for ourselves, from conclusions supplied by the psychologists, such psychological hypotheses as may be of convenience as political postulates.[1] This is not for a moment to deny that man as we meet him is "a bundle of impulses which act together as a total personality". It is to affirm that, since this is the case, personality as such is too complicated a principle to be able to reduce political phenomena to order. While it will be the business of Psychology to make an exhaustive survey of this rich field, it will be the business of Politics to select such conclusions as may seem more especially useful in illuminating its own province. The resulting explanation of phenomena will, of course, need revision in the light of further psychological knowledge, so far as this can be made serviceable.

But if that pillar of the arch of our science which rests in the subjective field of instinct, impulse and purpose stands firm, thanks to our buttressing of common sense with hypothesis, can the same be said of that pillar which rests on the assumption of the approximate recurrence of objective situations?

The Material Postulate. To many people it appears clear that, from the very nature of the case, no "situation" can ever recur. It must be admitted outright, as evident, that precisely the same situation, with the same persons, moods, and experience, will not recur, if for no other reason than that the world, physical and mental, has moved on in all its courses between this first instant of time and this second instant. Special stress is often[1] here laid upon the fact that it has moved on mentally, and that, unlike the repetition of a chemical experiment, the second experience, if embraced in our consciousness, will include and be altered for the conscious human atom by the first. We learn by experience and are wiser the second time.

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[1] V. Pareto: *Manuel d'Économie politique* (trans. Bonnet), 1909, p. 40: "La psychologie est évidemment à la base de l'économie politique et, en général, de toutes les sciences sociales."

Our assertion, however, that "situations" are repeated is not for a moment meant to imply that historical events are in some ghostly fashion reiterated at a later date.[2] The steps of events that have passed their way never echo again through the corridors of time. And the contention that "situations are repeated", in the sense that a situation is so far similar in what is important for our purposes that we act towards it in the same way as to its predecessor of the type, is not open to attack on the ground that the second situation is for one person never the same situation as the first. This statement is true, but the whole history of habit shows us that far from, as a consequence, acting on each occasion in a different way, after a certain amount of trial and error, we act on each generally similar occasion in what experience has taught us is the best model way. We approximate to an habitual or even automatic reaction, although the more elaborate the situation the less this is true. The similar situation becomes, when detected to be such, pragmatically identical.

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[1] *Vide* H. Bergson: *Essai sur les Données immédiates de la Conscience*, 1909, ch. iii.

[2] "Si l'homme", says Condorcet (*Esquisse d'un Tableau historique des Progrès de l'Esprit humain*, ed. 1847, p. 236), "peut prédire, avec une assurance presque entière, les phénomènes dont il connaît les lois; si lors même qu'elles lui sont inconnues, il peut, d'après l'expérience, prévoir avec une grande probabilité les événements de l'avenir; pourquoi regarderait-on comme une entreprise chimérique, celle de tracer, avec quelque vraisemblance, le tableau des destinées futures de l'espèce humaine, d'après les résultats de son histoire?" The comment on this must be that it is necessary to distinguish historical content and political form. Of any attempts to predict the content of future history absolutely, whether in Stoic "grand cycles" or in Spenglerian epochs, one can only say with Simmel (*Über sociale Differenzierung*, 1890, p. 9), "one cannot speak of any laws of social development". Human methods, however, whereby men in varying situations relate themselves to other men, may assume more permanent and scientifically significant forms. As Charles Bernard says—and none was in a better position to express an opinion upon the scientific basing of experimental studies—"In teaching man, experimental science results in lessening his pride more and more by proving to him every day that primary causes, like the objective reality of things, will be hidden from him for ever and that he only knows *relations*. Here is, indeed, the one goal of all the sciences, as we shall see farther on" (*Introduction to the Study of Experimental Medicine*, 1927 ed., p. 28). Russell, in his *Introduction to Mathematical Philosophy*, emphasizes the same truth: "There has been a great deal of speculation in traditional philosophy which might have been avoided if the importance of *structure*, and the difficulty of getting behind it, had been realized . . . In short . . . the only difference must lie in just that *essence of individuality* which always eludes words and baffles description, but which for that very reason is *irrelevant to science*." (Italics mine.)

A more telling objection is that, owing to the general change in the whole of civilization from age to age, which is so much more speedy than the changes of the planetary system and so much more impressive and evolutionary than the changes in the clouds in the heavens from day to day, pragmatical repetition does not take place upon at all such a scale as permits a science to be based upon it. Similarities are often real, but cannot be readily detected, or, again, are superficial and misleading. When it would be most useful to treat a problem as belonging to a type, caution bids us treat it as highly individual. Hence our science, if constructed, would be arid, otiose, and even pernicious. What impresses us, it may well be argued, is not a repetitive world with its events coming round, as the Stoics dreamed, in cycles, or even repeating themselves from day to day as do atmospheric changes, but an evolutionary world, each event following from and incapable of preceding the other.

It is true that the same remark, as Professor Eddington has emphasized, applies to the physical creation as a whole: it would be as impossible to start making yesterday follow to-day in the cooling of the suns, in the procession of the planetary system, and in the dissipation of energy as by a gradual blotting out of memory in human history itself. But the pace of the whole, it may seem to the casual observer, is slower, and the foreground is occupied by simple repetitions, by clouds much the same drifting daily across the sky, water much the same flowing along the rivers, ice much the same year by year on the freezing lake. In human history, by contrast, evolution seems to increase its pace, thanks to technical inventions, each rendering possible a hundred others, by geometrical progression at break-neck speed. Here is no simple pragmatic repetition, but the startling impression, for all who have eyes to see, of astounding organic change, which rapidly supersedes one historical form of civilization by some new world of experience. The change is organic, for each part of our civilization is dependent upon each other part.

Is there, then, not a singular ineptitude in talking about "repetition" in such a world, in which we are just learning how little any "situation" can be torn from the massive, changing whole? Is it not true that the major lesson of science to-day is that we must study social data organically, genetically,[1] from the standpoint of development, and not, in the style of the nineteenth-century economists, mechanically?

All this is true. And yet our object remains to study the mechanics of society with more detachment from party than the mechanical theorists of the seventeenth century, and with less commitment to a doctrine of a beneficent *ordre naturel* than the economists of the nineteenth.[1] If the word "mechanics" sounds too harshly reminiscent of an engineer's shop, let us say "physiology". Studies of the embryology of nations and of the morphology of States and of political structure will have their part. But it is essential to note that in no true sense can there be a science of evolution, but only a history of it. The most the scientist can do is to point out the consequences of certain hypothetical premises, and then, taking these consequences, to make them the bases of fresh hypotheses. Periodically he must return to history, to observation, to the facts, in order to discover whether his hypothetical assumptions do indeed correspond with the actual situation. The chemist, with his assumption of chemically pure materials, and the physicist, have the same obligation. In so far as politics is a drama of historical evolution it requires a history, but not a science. Science, however, as such, can only study the permanent, the "forms" or "processes" which so far repeat themselves as to be comparable. We cannot found a science on the particular, but only on the pragmatic identity of the particular event with the hypothetical form.

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[1] Against the exaggerations of the genetic sociologists, who are as much to the fore as the genetic economists and others who have been brought under the joint influence of Darwin and of the Historical School (an excellent influence in its way), Professor E. A. Ross admirably protests in his book *The Foundations of Sociology* (pp. 57 ff.).

The "Situation". There is, fortunately, no reason why, in Politics, we should make this hopeless attempt to found a science of history. The importance of a proper appreciation of the solidarity of society within itself, with its material background in the instruments of civilization and with the physical world, is something to which we shall have occasion to return. But a recognition of the unity and *continuum* of the physical world, in which nature abhors the smallest vacuum, does not impede a physicist from studying the mechanics of individual masses or the chemistry of theoretically discrete electrons, atoms, and molecules. And the appreciation of the solidarity and historic development of civilization will not deter the politicist from quietly returning to the study of units, single repeated acts, and typical methods.

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[1] T. H. Huxley: *Methods and Results*, p. 312: "the philosophers of the last century . . . busied with deduction from their ideal 'ought to be', they overlooked the 'what has been', the 'what is', and the 'what can be' ".

This argument of development would only weigh with him if it could be shown that simple situations, such as the conjunction of a hungry man "X" with unguarded food belonging to another "Y", or of thief "X" and robbed "Y", do not recur. The set of problems connected with "breaches of the rights of property" arises from the first situation, the administrative problems connected with "the machinery of the criminal law" from the second. And for our political algebra it matters not at all when or where the hungry man came across the food or the robbed started in pursuit of the robber. The act called theft does not inevitably arise from the conjunction of the will to carry out my hungry desire with a situation where, when hungry, I meet unguarded food in the possession of another. The food may belong to a friend who is glad that I should take it. There is here no clash of wills (such as makes this preeminently a political rather than an economic situation) or breach of rights. Or the owner may condone my taking the food; there is theft, but the relation robber-robbed is not set up. The probability of a given generic way of satisfying need being adopted comes to be a basis for pragmatic calculations of "the methods that thieves adopt" when further details (such as the possessor being a stranger holding the food in adverse possession for sale, or the hungry man being without money, or the shop being left unguarded) make it a specific "situation which provokes thieving". And such "situations" are of a kind that every police magistrate has to keep as a commonplace in his mind. The same may be said of less invariable, but quite commonly recurrent inciting factors, such as the prevalence of destitution—which may induce the magistrate, perhaps because of this extenuating circumstance, to reduce the penalty, or perhaps to increase the penalty, as a requisite deterrent. Whichever action he may take, he has certain general social considerations in mind, and he is on his guard against being swayed by considerations of the individual case. He is dealing with a situation which he thinks of generically and specially, but not (to any marked extent), in his professional capacity, particularly.

The "robbed : officer of the law : robber situation" admits of the same generalizations. As every law-book, so every police manual is drawn up on these assumptions. There are certain types of robber-robbed situations, and they call for certain types of appropriate action in arresting the offender. A constable must not deal with a case of soliciting in the same fashion as he would with highway robbery—not so much because the Courts would not uphold the officer as because, ultimately, such maladroit methods do not conduce to the effective repression of offences. And what makes repression effective we must decide by a consideration, not of legal documents, but of social structure. We shall consider uniformity of methods later. The study of "type attitudes", which is the study of the "situation" from the angle of the reaction to it of the individual, is to-day one of the commonplaces of social psychology. Sufficient for the moment that, without labouring the matter too much, we have made clear what is to be understood by the pragmatic recurrence of a "situation".

The thesis that situations do not recur derives its force from concentrating our attention, along with the early political theorists,[1] upon highly complicated social conditions. The result of this line of study is very appropriately a political philosophy. Its consideration of the elements of the subject is usually altogether inadequate, although, for example, Aristotle by no means ignores the problem of the primitive social unit. Hence it is no more to be expected to yield a political science than the methods of Thales or Anaximenes could yield a modern chemistry. That highly complex and "impure" situations, in the more developed forms of political activity, recur so seldom that they defy at present the skill of the analyst, and that experience gained from one case is of little practical value in another, is a troublesome but not a destructive objection. The commonest lump of mould, picked up on the nearest field, would defy, even at this day, the skill of most chemists, were a complete analysis demanded from them. It does not follow that chemistry is futile.

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[1] Plato: *Republic*, II, 368; Aristotle: *Politics*, I, ch. xiii. Cf. J. S. Mill: *Logic*, 1879, VI, § vi, p. 465: "Students in politics thus attempted to study the pathology and therapeutics of the social body before they had laid the necessary foundations in its physiology; to cure disease without understanding the laws of health. And the result was such as it

Perhaps the most serious criticism which can be made of the great political theorists of the past—Plato, Aristotle, Hobbes, Spinoza—is that they have attempted too much, seeking to explain the most complicated things before they have explained the most simple. It is as if one would provide an explanation of the mysteries of organic chemistry before one understood the chemistry of the inorganic. Political systems give place to others, never to recur, just as economies change, gold economy supplanting land economy and credit systems replacing those involving transfer of bullion. But the principles underlying the simple political acts or the simple economic

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must always be when persons, even of ability, attempt to deal with the complex questions of a science before its simpler and more elementary truths have been established." Mill rightly insists (VI, § vi, p. 465) on the necessity for the study of "universal sequences", instead of laying down universal precepts (cf. also *Autobiography*, World's Classics, p. 113). The comment, in a parallel field, of Professor Eddington (*Space, Time, and Gravitation*, p. 193) is relevant: "in physical theory it is necessary to proceed from the simple to the complex, which is often opposed to the instinctive desire to proceed from the familiar to the unfamiliar".

acts do not change while human beings continue to need material sustenance and freedom of action.

Politics and Ethics.[1] (*a*) *Conscious Purpose.* In certain limited fashions, therefore—in these only, but still in these—we are assuming that the words of Solomon are true that "there is no new thing under the sun". There can be no science of politics unless there are these political uniformities, these constants of behaviour, which admit of formulation as laws. And if there are such uniformities—and let us for the moment assume that there are—we shall expect them to be as timeless as the laws of mechanics, holding for the human race wherever and whenever it is found. And men in so far as they obey these laws will act in as timeless a fashion as those ideal constructs, which we call atoms, act in their chemical combinations according to formula. We are looking for this and for nothing less.

I observe that suns cool, and therefore have a history in time, and that plant species die out. If such a thing as the particular atom actually exists, and is not a scientist's fiction for his own convenience, I have no reason to suppose that the atom does not know change and has not a history; for history is not limited to the ability to write an autobiography. The particular chemical combination of the last moment can never be replaced for this particular atom; the order once broken cannot be reassembled. So, too, the human atoms, Smith and Jones, have their histories, and the human relations upon which their experience of yesterday was grounded can never recur. In terms of the slow changes of the spheres, human history may seem one of changes incredibly rapid; in terms, however, of vibrations of ether it may seem astonishingly slow. It is not, then, true that natural science studies that which does not change, but merely undergoes fresh combinations, whereas history alone can record the infinite variety of human life, those "innumerable details", as it has been said, "which really constitute international affairs and politics".[1] The political science of human nature studies the repeated combinations of beings who share that nature. And if their acts are indeed regular and their group-formations repeated, the fact that these beings are conscious, whereas, for example, the sensitive plant only reacts to stimulus, has nothing to do with the matter in hand, which is the study of their uniformities.

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[1] Cf. *The Science and Method of Politics*, Pt. III; also *vide* p. 264 n. 1.

Is there yet a contradiction involved in talking about the similarity of human impressions and emotions, as though there were a clear-cut thing called "human nature", and then, in the next breath, denying with the psychological behaviourists the relevance, for purposes of method, of the distinction between conscious and unconscious life? It is obvious that snatches of the same song may be heard from the lips of a lover addressing his lady, from a seducer, from a parrot, and from a mechanical instrument, and yet the immediate motive may be love or lust or an imitative impulse or lie in the motor-spring of the mechanism. In each case the motive is different and has a different value. Is it not, it may be asked, precisely *this sense of value and purpose* which qualitatively and sharply marks off human phenomena from non-human and renders the methods suitable in treating the latter inapplicable to the former?

It must, however, be noted that the effects are only in the most superficial sense the same. The snatch must be taken in the context of the song and the song in the context of the experience of a lifetime. It is, then, perfectly possible to judge by the effects of action objectively, without concerning ourselves with subjective values, states of conscience, or degrees of consciousness, and yet not to be open to the accusation of falling into the puerile error of treating men as though they were machines. The answer is that men do not behave like machines, since they are far subtler works of creation than any humanly manufactured Frankenstein. Human beings, whether awake or unconscious in sleep, whether acting by self-conscious reasoning or by routine, whether hypnotized or intoxicated, are, by their conduct alone, sufficiently capable of being distinguished from non-human beings or from unconscious things or from inanimate ones. Hence it is unnecessary to concern ourselves, in this connection, with the distinction, as a *principium discriminis*, between motives which have value and motor-impulses which have no value.

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[1] M. Villegas, *Presidential Address to 8th Assembly of the League of Nations.*

The doctrine of praise and blame raises questions of moral responsibility which we shall discuss elsewhere. The only point which it is now necessary to make clear is that uniformities of human action are capable of study as such and are worth studying in terms of effects, without it being necessary for us to start from a knowledge or a theory of the diverse human motives which lead up to this action. This would be an endless task concerning which it is well to remember the evangelical injunction "Judge not". "The heart of man", said the proverb of the medieval monk, "is so very deep that the devil himself knoweth not the depths thereof." The study of politics, to be fruitful, must, despite the claims of the psycho-analysts, not start from inquisition into individual motive, or, at the present state of knowledge, with an assessment of value, but from an examination of uniformities of conduct, with an hypothesis about motive based on comparative observation of acts and a scrupulous study of effects. Behaviourism as a philosophy may be all that its opponents call it, but as a scientific method it may well be useful. Values, in the lives of intelligent beings, have, as a matter of common observation, immense influence, but they must, for the purposes of political science, be judged precisely in terms of this influence. At least the positive science of politics must not be contingent on the achievement of a sound philosophy of ethics. And without a positive science of politics what can be achieved in realizing the dictates of ethics must always depend rather upon happy historical accidents than upon intelligent control with a secure knowledge of social circumstances.

This does not mean that explanations of conduct in terms of purpose are to be discarded. A reliable confession is better than a laborious hypothesis. As a contemporary sociologist has whimsically said: "Not all observations of the canals of Mars are worth for science a five minutes' interview with the Martian Commissioner of Public Works", even though the conversation would still require, in at least this plausible and self-deceiving world, to be checked by what we knew of the facts. But to say that introspection is a common-sense aid to the explanation of purpose is not to say that purpose itself is the centre of interest for the would-be student of political uniformities. And it is on observed uniformities and not on the supposed causes of them that a science is primarily built. If our practical object is social control, it is not so important to know what men wish to enjoy as to understand what they can do.

The wishes and purposes of men are legion: what they can do is alone limited and hence capable of study. Laws of social choice, in so far as the choice is one of mental attitude and not of alternative action, and laws of social psychology (as sharply distinguished from the semi-physiological laws of mental reaction which psychologists of the Behaviourist school endeavour to formulate), are attempts to systematize the less tangible material at our disposal instead of the more tangible.[1] A man's acts I know, and what he cannot do I may perchance predict; but his purposes neither I nor even he may precisely know, and knowledge of these purposes is no guarantee of knowledge of their accomplishment. Our object is neither to study purpose nor to ignore it, but—presuming that what are imagined as purposes do exist in conscious beings, and that certain major purposes so far sway life as to deserve to be selected for study—to examine the means available for their fulfilment, so far as the social world of conscious beings is concerned and other things being equal in the non-human environment. Psychology, it may be said in summary, is concerned with mental acts which must be considered in relation to the observable, individual mind. Politics is concerned with the impulsive or willed relations as such of social beings. The physical and natural sciences are concerned with the world of involuntary things.

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[1] *Vide* F. H. Giddings: *The Principles of Sociology*, 1896, and F. Znaniecki: *The Laws of Social Psychology*, 1925, for illustrations of the attempt to found sociological laws, not on constant methods in meeting with objective situations, but on subjective choice. *Vide* p. 122 n. 2 *infra*.

Politics and Ethics. (*b*) *Ideals.* Against any new proposal three arguments are customary: the first, that it is impossible; the second, that it is immoral; the third, that it involves nothing which everybody had not agreed upon long ago and that it was the opposition which first proposed the plan. The objection that a science of politics is impossible is frequently reinforced by the argument that to attempt to establish it is for political theory to take a wrong turning. Political science, owing to the vague definitions of its field generally adopted, is peculiarly open to the attack that it ignores everything which it is most important that a good statesman should take as his guide in the practical task of rule, and can but conduce to an inhuman and disastrous treatment of affairs which can only be judged, in any healthy society, by ethical standards. This practical objection is reinforced by the conservative aversion to the treatment of human society by naturalistic methods.

Let us, then, turn from the psychological prejudice of injured pride against a scientific treatment, which we have earlier discussed, to the more weighty practical objection.[1] A natural science of human affairs is confronted with the difficulty that, by its bare externality of treatment, studying first what in fact is done, without any attempt to judge among the conjectured motives or to applaud the better, all that is humanly most important in these affairs must be omitted. The science may be possible enough as a matter of intellectual gymnastics. But is it worth while? All our practical conduct as human beings, it may be urged, is guided by a sense of values. In our public acts we choose between that course which we believe will lead to a better society and that which will lead to a worse. Whether our choice depends upon carefully thought-out reasons or upon prejudices resting on habits acquired in our youth, or upon apprehensions of economic advantage, is for the present issue irrelevant. An ethical choice does not necessarily require dispassionate reasoning, and, although such reasoning is in daily life rare enough, moral choice is not. We go through life selecting that course of action which is more likely to lead to what is valuable. Our common acts are essentially acts of right or wrong. It may, therefore, well be argued that it is futile to endeavour to reduce human action to a scientific study when the important matter is a man's ethical preferences, to which the naturalistic methods of science are inapplicable. Our task is to concentrate our attention on obtaining a clear notion of what makes the good society.

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[1] The argument in favour of a normative philosophy of politics and against the possibility of a political science has been well stated by Professor W. Y. Elliott (*Pragmatic Revolt in Politics*, 1928; cf. W. E. Hocking: *Man and the State*, 1926, p. 69; and the writer's review of this school in the *American Political Science Quarterly*, vi, 1929). As Professor Elliott rightly says, "wherever purpose enters into the question—that is, wherever ethical activity is implied—the law of necessity is no longer adequate. Into the nature of the state under law and of law in the state, there enters inevitably the moral issue". The point is, however, that so much of political activity can be discussed without its being requisite to discuss the ethical quality of the particular purpose. And the politicist is entirely scientific in his sphere, although he may not be philosophic, "if he ignores the teleology which is anathema to the physicist"—ignores it, that is, not as "drive", but as "ideal" (cf. R. M. MacIver: *Community*, 1917, p. 56 *contra*). "The great question is to discover, not what Governments prescribe, but what they ought to prescribe", says Lord Acton (cf. Hetherington: *Social Purpose*, p. 236). This may be, but the business of political science is not with "the great question" of ethics, but with what Governments can prescribe without friction due to defiance of the natural laws—profounder than their own—of politics. Political philosophy may be either juristic or ethical. Political science is neither (W. W. Willoughby: *The Fundamental Concepts of Public Laws*, 1924, pref.). The fields of economics and of law are soaked with ethical considerations; the comment of Markby is yet worth while bearing in mind (*Elements of Law*, 1889, § 12): "Austin, by establishing the distinction between law and morals . . . laid the foundation for a science of law." Political science is concerned with the study of means and of *milieu*, and, ultimately, of the social forms assumed under the influence of the constant factors in human nature; it is the student of civil ethics who is concerned, as was Rousseau (*Confessions*, ed. Larousse, IX, p. 155), with the best form of government.

This argument has hitherto been received far too readily at its face value. The more we are honest observers of human nature, the more we are compelled to recognize the immense diversities among men, among what they enjoy, among what they deem beautiful and laudable. Law and convention rest upon what they have in common or are prepared to acknowledge by outward observance; but the finenesses of the moral life distinguish, no less among the intelligent than among the merely sensitive, rather than unite. Psychologists, who dwell professionally upon the common instincts or mental reactions of men, nevertheless recognize that the most delicate, the most recent, and the most unstable gifts of the human mind vary so much from individual to individual that any educational method is bad which assumes that every child can be trained to common form. Medical research raises the suspicion that these differences of psychological temperament, which render one man's meat another man's poison, may depend upon differences of physical constitution. Whether or not men's emotions will continue to vary with their physique, their

Utopias, as Plato emphasized long ago, will vary with their mental complexions. Nor can we possess Plato's confidence that all their mental complexions should be reduced to indistinguishable uniformity. It may be that the one good society would be a bad society. At least, we need to learn yearly from discovery and experience new methods of living the good life. The content of our conception of the good depends upon the synthesis we make of our growing experience of life-history. The good in detail is relational and not an absolute.

We are, then, confronted, as a consequence of these differences of individual make-up, with abiding differences of men's social purposes and ideals. So soon as reason fuses similar ideals and eliminates contradictory ones, experience provides new doubts, new solutions, and new Utopias. Hence the statesmen must allow for diversity instead of demanding, with the Holy Inquisition, unanimity. He must assign to education the task of bringing people into closer approximation to what he, personally, may regard as the ideal. And political science is entitled to follow the art of the statesman in assuming a world in which a multiplicity of ideals is an outstanding fact. That politicist is no scientist who rules out of consideration masses of evidence on the ground that these phenomena are merely "pathological".[1] The distinction is largely verbal. We are indeed only incidentally concerned to discuss the extraordinary, although the importance of social therapeutics and pharmacology must not be ignored. But for us the "physiological" in politics is the customary, irrespective of whether the customary is by some standard or other the ideally desirable. He who studies the human race must not limit himself to the study of Olympian athletes. The business of the political scientist is not with the ideal society of which the members enjoy a justifiable contentment, but with actual societies in which a pathological condition is symptomized by manifest discontent. We are not concerned, for example, with whether rebellions ought to exist, but with the circumstances under which rebellions do exist and how they can be met. We do not demand how the City of God may be constructed, but how any society at all, which is not to show obvious signs of discord, is in fact constructed. Our concern is not with the ultimate "why?" but with the immediate "how?".

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[1] B. Bosanquet: *Philosophical Theory of the State*, 1920, p. 47, but cf. pp. 231–4; W. H. R. Rivers: *Psychology and Politics*, 1923, ch. iii, "Concept of the Morbid in Sociology"; E. Durkheim: *Les Régles de la Méthode Sociologique*, ch. iii. Cf. also Durkheim's remark: "Il n'est pas du tout prouvé que la civilisation est une chose morale."

The work of the educator and of the ethical philosopher may or may not be more valuable than that of the scientist. But the political scientist propounds to himself a quite sufficient problem when he asks himself, granted that a given man has a certain ideal, purpose, object, or interest, true or mistaken, right or wrong, how this man may give effect to this plan of his, whatever ethically it may happen to be. It may be that I entertain an ideal which is coloured by violent aversion to the worship of industrial efficiency, and that I am prepared to sacrifice for it all the conveniences of the present social order. Nevertheless there are certain methods which I must adopt if I hope to cause the mildest perturbation in this order or to advance one iota (to take a fantastically extreme instance) my campaign for inefficiency. And there are other methods which, if adopted, would prove fatal to the attainment of my heart's desire. The study of the means to the attainment of ideals, as well as of other aspects less ideal, is the task of political science. The ethical value of the aim to be achieved is the business, not of the politicist, but of the philosopher. In politics we can quite properly distinguish between the absolute value of the ends and the goodness in an economic sense

—the efficiency—of the means for the attainment of these specific ends.[1]

Politics and Ethics. (*c*) *Moral Suasion.* One line of argument remains open. It may be urged that it is notorious that the attainment of our ends may be achieved or frustrated by whether we are able or are not able to rouse people to such a pitch of enthusiasm and devotion that they will sacrifice their own immediate interests to further the cause which we are proclaiming. It is thus that great reforms are wrought and that entire nations can be stirred to patriotic response. It is thus that the political philosophies of Rousseau, Fichte, and Hegel, of Burke, Paine, and Mill, have had their influence. Hence the very success of a plan, far from being susceptible of study apart from ethical considerations, depends upon its moral impetus. It is not true, it may be asserted, that the outstanding phenomenon which confronts the statesman is diversity of ideals. The startling thing in politics is the strength of what, in the War years, was called the "herd-instinct" or "group-feeling", and the way in which men tend to respond to a single moral appeal, to oppose against dissent one front of sentiment and to pattern their minds by one patriotic ideal.

This argument would be sound were it at all true that the success of a cause which depended on emotional fervour was proportionate to the abstract righteousness of the moral enthusiasm invoked. In fact, however, it is a commonplace that unity of social ideal is not something which comes by nature, but that it is something wrought by the influences which play upon public opinion. And it is, unfortunately, also a commonplace that no ratio can be established between the effectiveness of propaganda and its rectitude. The study of true ideas is not of itself the study of social forces. And, although the force of ideas is a most proper study for the politicist, they will merit study irrespective of whether they are good or evil. It is a study of *mores* rather than of morals. The critique of fallacies alone is insufficient for the betterment of society. The work of the student of politics, who analyses the technique of making truths or fallacies effective in moving the masses of men, is also required.[1] Indeed, the objective study of methods of propaganda and of the control of opinion or direction of will is one of the most fruitful fields for political science to-day. The scientist, however, is not concerned with the value of the content, least of all may emotional conviction be permitted to interfere with scientific conclusion. One of the tests of a sound political science is that it is difficult to detect which social party its conclusions favour, since they are formal results—results concerning what one should do *if* one desires a given end. The sun of science, as that of God, shines both on the just and on the unjust.

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[1] V. Pareto: *Traité de Sociologie générale*, ed. 1919, II, 1599–1600: "Dans les sciences sociales, il faut surtout se tenir sur ses gardes contre l'intromission des sentiments de l'auteur, lequel incline à rechercher, non pas simplement ce qui existe, mais ce qui *devrait* exister pour concorder avec les sentiments religieux, moraux, patriotiques, humanitaires ou autres. La recherche des uniformités expérimentales est en elle-même un but. Quand on a trouvé ces uniformités, elles peuvent servir à d'autres buts; mais confondre ces deux recherches porte un grave préjudice à toutes les deux."

"Great is truth and it will prevail" is a powerful battle-cry for the crusaders for righteousness, but it is folly to suppose that the hosts of evil and stupidity never triumph or that their triumph is not frequently due to the bad strategy of the lovers of the good and reasonable. *An nescis quantilla prudentia mundus regatur?* said the statesman Oxenstjerna. The new "reasonable" slowly wins against the old "reasonables" which have become childish with age, and the truth is the ultimately reasonable. But an intelligent evil or a stupidity which is given vigour by self-interest frequently triumphs, and the former does so deservedly against unintelligent and vague-minded exponents of good. There is, then, an obligation on the part of those who love progress and the right, as they see it, not only to proclaim and declaim what is good, or even only to examine its nature, but to study how it may be realized. Not the charge of the troops or the quality of the munitions alone bring victory in war, but also the strategy of the generals and the deploying of their forces. From ethics the statesman may learn which courses among several are desirable; from political science he may learn which among several may be feasible. It will be his duty to select that course which fulfils not one but both conditions.

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[1] *Vide* H. D. Lasswell: *Propaganda Technique in the World War*, 1927.

Politics is, then, the study of social method. But it is more than merely a higher art, such as "military science". It also is the study of those permanent natural conditions which are determinant of social method and which depend, not upon the will or craft of individual men, but upon the facts of social life itself and of immemorial human needs impelling men to provide for their satisfaction.

The Application of Political Science. The vexed discussion of the distinction between pure and applied sciences is one into which we need not enter. The distinction, save as a matter of degree, is probably empty enough. Political science requires a degree of detachment and a thoroughness of analysis of the remoter context of events which cannot be required of the political practitioner concerned with the needs of the moment. The politicist has a theoretical interest in the display of the human will in social life; the politician is concerned to advance one interest by the vigour of his own leadership, and to rebut other interests. He is not judge but plaintiff, not observer but agent. Even if he is the practising physician, he is no research worker; and often he is one of the most bewildered of patients. A clear and important distinction can therefore be made between the active and passionate work of the will of the politician and the reflective and inquisitive work of thought of the politicist. The latter endeavours, so far as in him lies, rationally to contemplate these movements of men which, it must emphatically be borne in mind, are not entirely rational. The man who wants to moralize or to "get things done" will not be at that moment and in that capacity a good man of scientific thought. He will confound the theology of politics with its physics. But the political scientist must be, not a man of books, but a man of the laboratory, and his laboratory is the world. Political studies will not be advanced by a political science of the arm-chair. The sociologist must be sufficiently a man of affairs to understand intimately that which he studies. His treatment will be cogent and significant to the extent to which it is concerned neither with the problems of abstract theory nor with speculations about what ought to be, but has a bearing upon, as it will certainly be coloured by, the contemporary problems of communal life. This treatment will be scientific, in so far as it is more detached, more thorough, more exact, and better coordinated with the rest of our assured knowledge than the opinions of the layman or the disconnected observations of the man of affairs. But "the end in view is practice and not mere knowledge".[1]

No particular social problem, however, can be adequately treated apart from an understanding of the social system whose disorders we are called upon to investigate. A medical student cannot profitably endeavour to study the cure of cancer while still ignorant of the first principles of physiology and anatomy. And the claim of human suffering which impels us to the study of medicine is less (because the bitterness of the suffering is not so intense or its effects so extensive and prolonged) than that which drives us to the study of the structure of society, which is responsible, on the one hand, for the sustentation of civilization, and, on the other hand, for those habits and needs which provoke no small part of "man's ingratitude to man". No study of war or slavery, of poverty or revolt, can hope to advance far unless we understand the root causes of the problem in the social system of the day. We must understand how the primitive impulses of our nature may be allowed individual play without provoking social disaster. All the promptings of whatever moral idealism we may have bid us study this body politic, this social structure, with the shrewd eye of scientific curiosity and with a fixed determination to permit our sympathies to be enlisted on behalf of no *a priori* moral attitude or partisan conclusion, but only on behalf of those conclusions and observations which scientific research may seem to justify. Medical decisions, as touching the body corporal or as touching the body politic, may occasionally present a moral dilemma, but medical diagnosis, individual or social, is no matter of ethical prepossession.[1]

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[1] Aristotle: *Nich. Ethics*, II. 2: *'Επεὶ οὖν ἡ παροῦσα πραγματεία οὐ θεωρίας ἕνεκά ἐστιν.* Cf. M. Weber: *Wissenschaftslehre*, 1922, p. 474: "Der Glaube ist noch immer verbreitet, dass man Weisungen für praktische Wertungen aus 'Entwicklungs-tendenzen' ableiten solle, müsse oder doch: könne."

The present time is a peculiarly propitious one for the study of a positive science of politics. The development of a science is an integral part of the tendency of an age and of its civilization. Logic and the simpler geometry could precede the perfecting of the scientific instruments, but chemistry could not do so. And not until the physical sciences had left their full impress on men's minds was there any chance of psychology or of politics being treated as natural sciences rather than as logical systems.[2] Scientific interest declines with the pessimism and subjective preoccupation of the Hellenistic Age, with its great ethical systems, and revives with the prosperity and terrestrial discoveries, with the ferment of invention and this-worldliness, of the Renaissance. After the reaction following the Éclaircissement and French Revolution and the moral conservatism generally, and not untruly, ascribed to the Victorian Age, we again appear to be in an age of encyclopaedism, of new generalizations, experiments, and discoveries, and of a drinking again at the fresh founts of immediate experience.

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[1] See p. 458.

[2] Hobbes provides a cruder reason, in fear of political persecution, why a detached science of politics has not developed earlier (*Behemoth*, ed. Molesworth, p. 212).

The impact of perfected machinery and industrialism upon workers stirred by universal education and by unprecedented expectations results in a world of connected problems which distinguish our civilization as a new epoch with new standards. These problems are, however, chiefly those of social organization, and the living interests of our age turn in the same direction. The general need produces for the first time the experimental frame of mind which admits the possibility of social control, as distinct from legal command; which admits the possible regularity of human, as of natural, phenomena; and which admits the possibility of social laws governing the souls of conscious, wilful, and purposeful human beings. A doubt arises whether a social tradition is indeed a natural fact or growth, unaltered since the darkest *Urdummheit* of man and unalterable by his ingenuity without the nemesis of disaster. Just as in philosophy we have come to doubt whether our concern is with certain traditional "fundamental problems", so in politics we have come to doubt final social solutions and to think that ideals may well be rather the belief of a group than a law of the constitution of society itself. Amid swing and counter-swing, change and reiteration, it is coming to be realized that it is not political orders, programmes, and Utopias, national aims and religious creeds, that abide, but the form of the political process, of which the study is the object of political science. Such a mental revolution has required the immense pressure, towards a new attitude of thought, of the organized and regulated conditions under which modern life is lived. It has required the sting of disappointment, felt when more naïve attitudes have failed, especially since the War, to meet the insistent problems of our experience in society.

The present time is, for a further reason, one in which the need for a positive science of politics is peculiarly urgent. Our civilization has ceased to grow unconsciously, and is becoming, as a world-wide civilization, self-conscious and in need of intelligent control over its vast extent.[1] Daily more complicated, its problems become daily less capable of solution by the simple impulse of the moment or by parochial common sense. The talents of Gibbon, Meyer, Seeck, and others have assigned many reasons for the fall of the Roman Empire, from bishops and barbarians to hot baths, and from the mongrel blood of its armies to the exhausted soil of its grain lands. But perhaps not the least of these causes is that Rome was confronted with problems of administration with which its technical knowledge was inadequate to cope. The natural science known to the Roman Empire was brilliant but unsteady guess-work; its triumphs of engineering involved the folly of the aqueduct; social science, born with Plato's *Politicus*, had died amid the scholarly comments of the Lyceum and in the scepticism of the Academy. The Roman system of taxation was in defiance of the rules of sound finance. The chief executive authority was appointed by a method which kept the Empire in a perpetual condition of seditious ferment. Social cancers were permitted to grow from ignorance of how to cure them and from lack of the true leisure—a leisure general to society—to spend upon the less obvious tasks of rule. Rule, civil and military, was over a population in a low economic condition, the promotion of whose particular welfare was not intimately connected with promotion in the imperial service. The dead weight of an irreformable social system pressed as heavily as did an unmastered physical world upon restless thought. The best minds of the age turned, not to master matter and men, but to seek an ascetic way of moral composure in a world of adversity or a steep path to Kingdom-come from a vale of transient things and threatening evils.

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[1] Whitehead: *Science and the Modern World*, p. 142: "In the past human life was lived in a bullock-cart; in the future it will be lived in an aeroplane; and the change of speed amounts to a difference in quality." Cf. A. E. Zimmern: *Learning and Leadership*, 1928, *passim*. There are, of course, some people whose neophobia is so exaggerated that they in fact prefer to live in a bullock-cart—it is more romantic . . . Professor Zimmern proceeds to remark (*op. cit.*, p. 42): "for us of to-day the sociology, the political science, and the international law of 1914 are antediluvian."

The technical problems, however, which confront our own age are far more complicated than those of Rome; our general standard of living and hence our standard of the simple requisites of life are far higher. The very instruments of our progress—our machines, our medical knowledge—have a dubious significance. Our population is greater than that of Rome, and the task of accommodating that population, without a revolt among the recently educated masses or a lowering of the standard of living, with its accompanying degradation or apathy, is novel. Even in the vast area of the United States, it has been estimated, the population, at the present rate of increase and standards of agriculture, will considerably exceed the optimum by 1964. The industrial age in its fuller mechanical and electrical development dates from no earlier than the beginning of this century.

It is then our own generation which has a peculiar task and a heavy obligation. Hence the need is unprecedented for giving our attention to what we can learn about the technique of successful administration and about the successful preservation of order without demonstrable retrogression. Fortunately, so much work has already been done in this field that the pressing task is one of bringing together and of criticizing existing generalizations about political conduct. No high road has been constructed, but paths have already been blazed by pioneers before us in that political science which Mr. Bernard Shaw describes as "the science by which alone civilization can be saved".

Before, however, we can expect students to undertake the work of laboriously delving in this field and of painfully collecting and sifting appropriate data and of "trying out" experiments, it is necessary that they should have an ineffaceable impression of the importance of that which they undertake, and of the timeliness of their undertaking.[1]

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[1] Pigou: *Economics of Welfare*, 1920, p. 4: "If it were not for the hope that a scientific study of men's social actions may lead, not necessarily directly or immediately, but at some time and in some way, to practical results in social improvement, not a few students of these actions would regard the time devoted to their study as misspent. That is true of all social sciences." The object of political science is control. Men can pursue a misleading and too easy path when they "come to think that it is their business to explain rather than to control the forces of the hour" (Hammond: *Town Labourer*, pref.). It may be doubted, despite the weight of Mr. Tawney's opinion to the contrary, whether even a "mobile and realistic" political philosophy can supply this power of control (as distinct from exposition and exhortation) which we look for in a developed political science and sociology. We shall, however, agree with Mr. Tawney (*Religion and the Rise of Capitalism*) that "history is a stage where forces which are within human control contend and cooperate with forces which are not".

CHAPTER II

THE DEFINITION OF POLITICS

Why a Definition of Politics matters. The future of a science of Politics will depend, not upon arguments about the practicability of such a science or upon the verbal drawing of boundaries and use of abstract phraseology, but upon its ability to produce useful results. The discussion of Politics is never likely to be limited by any dictionary of "the use and abuse of political terms". On the other hand, grave damage may be done by that literary tradition in Politics, of which the outstanding English exponent has been Bagehot[1], which confers upon thousands of persons the benefit of an interest in political theory at the cost of establishing a tradition that the subject is one which can and should be expounded in an easy fashion which the least tutored can understand. It is impossible to endorse whole-heartedly and with a good conscience so pleasantly democratic a doctrine in the field of politics any more than in that of economics, or of the theory of money and banking and the practice of Lombard Street, concerning which Bagehot also essayed an explanation.

The urgent educational work of indoctrinating public opinion with the better-established conclusions of political theory, and, not least among them, with the need for a hearty diffidence concerning the competence of public opinion, must be sharply distinguished from the constructive work of political science. Here the task is not to satisfy the reading public, but to wrest secrets from nature by scrupulous accuracy of method. In the delightful phrase of Clerk Maxwell, "aspirations after accuracy in measurement and justice in action" should be "reckoned among our noblest attributes as men". A precision in the use of terms is required which may seem pedantic and scholastic to those who permit themselves to forget that "chemistry without formulae" is not a chemistry which would have advanced far beyond the experiments of the nursery.[1] Unless we are prepared to make that renunciation of free and general speculation which is involved in the patient scientific method, it would be as well to abandon forthwith any pretensions to belief in a political science in the precise meaning of that word.

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[1] *Vide* especially Bagehot's *Physics and Politics*, 1867–72.

The charge of being unduly abstract is one which the natural sciences share with philosophy, but for a very different reason. Much philosophy is abstract because it is dealing with such terms as "being", which are not, indeed, abstract themselves, but from which many of the qualities of common experience have been abstracted. The same may be said of discussions of "beauty", of "justice", of the "natural man". As Plato has established for all time, in one sense nothing can be more real than these substantial ideas.[2] The lover loves a beautiful woman because he first loves beauty in a woman, and he returns to the love of God because the love of beauty is more profound than the love of any individual. The joy of the adventure of life is still the well-recognized joy of adventure and not an especial joy in particular things. But the use of abstract nouns and the rigour of logical argument produces an unwonted effect of remoteness on the mind of the common reader.

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[1] C. Bernard: *Introduction to the Study of Experimental Medicine*, trans. 1927, pp. 14–15: "In scientific investigation, minutiae of method are of the highest importance. . . . Every time that a new and reliable means of experimental analysis makes its appearance, we invariably see science make progress in the questions to which this method of analysis can be applied. On the contrary, a bad method or defective processes of research may cause the gravest errors, and may retard science by leading it astray. In a word, the greatest scientific truths are rooted in details of experimental investigation which form, as it were, the soil on which these truths develop." Cf. G. Simmel: "Persistence of Social Groups" (trans. A. Small) in *The American Journal of Sociology*, III, 1897–8, p. 662: "The boundaries of new sciences are necessarily indefinite and indefensible. They are thus open to all the homeless. . . . Then the process of limitation begins. The immediate effect is disappointing, but, on the other hand, precise bounds secure sciences against later disappointments"; also J. R. Kantor: *Outline of Social Psychology*, 1928, p. vi: "mixtures of a little physiology, sociology, psychology, and anthropology." However, I here agree with A. F. Bentley (*The Process of Government*) that, although the nuclei of sciences can be profitably pointed out, the boundaries are an experimental matter to be determined by the limits of fruitful and coherent investigation.

[2] Plato: *Republic*, 476c.

With a scientific work the position is different. The reader is so well accustomed to expect technical phraseology that he feels no resentment in reading about common topics, such as chalk, in language which defies understanding except for the specially trained. Even the use of entirely unnecessary jargon is tolerated. No charge is made of being abstract, because everyone is aware that what is being talked about is not abstract nouns (however "real" what they may denote), but chlorine and sodium, which smell. Politics, owing to its philosophical tradition, is in the unfortunate position of being guilty of philosophical abstraction. The imperative need is to make politics positive, but to do this the artificial simplicity and hypothetical method of all scientific study must be adopted. To protest that we must adhere to the concrete, in effect means that we must adhere to the description of events, either dully, endlessly, and aimlessly, or else put into focus from the point of view, and with the philosophic prepossessions, of the historian. To say this is assuredly no condemnation of either philosophical or historical method, but it is to assert that these methods must not be regarded as exclusively sound or even as the most helpful contribution to a positive approach to the subject[1]. The test of the most helpful contribution is pragmatic: we have to decide what method and delimitation of the field in fact best assist us to control events in accordance with our ideal—whether the method is to be a more critical conception of this ideal, or a clearer appreciation of the course of human events, or the ability to translate this ideal into the terms of these events.

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[1] Nor is there any wish to depreciate these other methods if they can produce results. "Jedoch steht die definitionsmässige Bestimmung des allegemeinsten Grundbegriffs einer Wissenschaft nicht am Anfange, sondern am Ende einer Lehre; es ist dies die schwerste, das Ganze krönende Aufgabe" (L. von Wiese: *Soziologie*, 1926).

What is Politics? We shall, then, make no apology for refusing to be overawed by any current definition of Politics and for persisting in the search for a definition which is suited to the laboratory as well as to the market-place. Chemistry is not now understood to include magic because for centuries nobody doubted that a magician was genuinely entitled to be called an alchemist or professor of "chemy". In common parlance a politician is a person who stands for election at the polls or manages those who do stand. A politician is a man much preoccupied with electioneering issues; politics means such party issues. The term "statesman" is reserved for those more wise and public-spirited persons who give direction to the government of the country, and is a word frequently placed in antithesis to the word "politician". Statesmanship is something which rises superior to politics. It is clear that this war of the parties is not what we can regard as the subject-matter of the science of Politics. Still less is a traffic in preferments to be so regarded. And although the politician may be not only practitioner, but a very keen student of politics in the party sense, for the student of politics in a scientific sense it is best to coin outright the term politicist, unless we are to encumber ourselves with the laborious and pretentious name of political scientist. Popular phrases are, however, generally discarded without examination only by the rash. It will, therefore, be well to note that, in the shrewd popular eye, politics is *par excellence* a struggle for position. Whether this verdict, recognized in common speech, is just is not here our question; sufficient that it is proverbial.

For the text-books Politics means either the activities of political life or the study of those activities. And these activities are generally treated as the activities of the various organs of government. Here again we have a significant emphasizing of the conspicuous at the expense of the whole. The implication is that the active work of rule and administration is preeminently politics. It is a member of Parliament or a deputy to Congress who is entitled to be called a politician. With this definition of a politician as one who takes an active share in the work of rule there seems to be no ground to quarrel, any more than we should quarrel with the current use of the word business man because he is not the only person who has any business to do. But the connotation given to the word politics is clearly uncritical. For, while directing our attention to executive, legislature, and judiciary, as is historically appropriate for a definition which arises from an eighteenth-century revision of a princely theory of government, it by implication excludes the activities of the electorate from the field of politics. It is, however, only on a very superficial view that it can be maintained that the intervention of the electorate is too occasional and brief to merit the electorate's inclusion in the field of political life. A State is not like a clock in which we can take for granted the hand which occasionally winds it up, and confine our study to the mechanism. In a modern democracy the body of citizens is making its opinion felt at every moment upon those more officially having direction of affairs; and, especially in time of war, it is clear that the body politic is not only the State-Government which directs affairs and organizes propaganda, but also the State-People, upon whose enthusiasm and stamina success depends. If we begin by studying only mechanism, we may end by mistaking the theatre properties of politics for the play itself. An acceptable definition cannot be drawn up merely in terms of a modern and local development, such as democracy. But the part at all times played by the body of subjects in a State by their assistance in the maintenance of law entitles us to insist that politics is at least the study of the whole State and of all its members in certain activities, and not only of the Government and of its members in the administrative activities.

The activities, however, of political Ministers and of governmental officials, in their capacity as such, admit of fairly easy definition. The same cannot be said of the political activities of the general body of citizens. The word "political" becomes, once again, vague in connotation. The election of representatives, contribution to public opinion in the formation and approval of policy, assistance in maintaining law, service with the fighting forces, payment of taxes, obedience to a thousand social regulations of everyday life imposed by law are political activities of the ordinary citizen in which it is at first difficult to detect a common factor. This is no ground for declaring that we had better not call such actions political. Only by pursuing the problem through to the end are we likely to appreciate the real nature of our subject-matter. It will be immediately remarked that these activities are all conventionally associated with the work of States. It would therefore appear satisfactory, and would certainly be supported by a large body of authoritative writers, were we to define Politics as concerned with the study of all activities which affect the life of the State. The statesman thus becomes the true politician, and political activities are *staatlich* or *étatique*.

There are, however, certain considerations which lead us to hesitate before accepting this obvious definition. Much customary law is known to anthropologists which certainly receives obedience and which yet is not connected with the life of the State as we understand it, but precedes the existence of organized States.[1] Again, the school of Fustel de Coulanges and his successors has shown how much early law is obeyed from religious motives and rather emanates from the authority of some germinal Church, or at least from the sacred institution of the family, than from any State. Levi, the priest, becomes distinguished from his brethren, the patriarchs, long before we hear of Saul the king. Men, again, fight in groups long before the most rudimentary system of non-domestic authority emerges. But the most significant fact of all is that, if the essence of rule is the control of one human being over another, this control is patently exercised in everyday life quite apart from the authority of the State. We have, therefore, to choose. Do we prefer to define, with most of the authorities, politics in terms of the State—that is, in terms of the most striking *example of political activity*—or to define it in terms of those *activities themselves*, if we can find what is common and essential to them?[1] It needs but a little thought to show that the former course is to provide, not a definition, but a description, and that to speak of politics as the activities of the State and of its members is to give, not the connotation, but the denotation of the word. We are therefore compelled to reject the tradition which refers to the study of politics as the study of the activities of the State and of its members, *qua* State and members (i.e. *qua* political, which still remains undefined), and to look for a definition of politics in terms of certain (as yet obscure) activities of the State, of its members, and, perhaps, of other organizations and of their members.

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[1] W. G. Sumner: *Folkways*, 1906, p. 53: "Institutions and laws are produced out of *mores*." P. Vinogradoff: *Historical Jurisprudence*, 1920, I, p. 158; II, p. 19.

We shall therefore translate the words *staatlich* and

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[1] *Vide* the chaos into which such writers as Sheldon Amos have been thrown by paltering with definitions. "The geographical area to which the Science of Politics extends at present is limited . . . to the countries of Europe and North America and to those countries which are subject to the influence and dominating control of Europe and the United States" (*Science of Politics*, 1906, p. 66). . . .

étatique by the word "civil", reserving the word political for use at once more broad and more precise. Most of the activities of the State and of the Municipality may obviously be described generically as politics; but we shall keep for the study of these activities, where they are used specifically and in distinction from that of other organizations, the name of study of Administration and Government, or (approached from a different angle) of Civics, or National and Municipal Civics, or Public Ethics.

Still, therefore, we must continue our quest for a satisfactory definition of the word political. We are, however, encouraged by the fact that only comparatively recent authorities have adopted that use of the word which has just been rejected. Hobbes was engaged in a polemic against the claim of the Church to be an organization of the Community capable of rivalling the State, and hence, for obvious debating reasons, identifies politics with the activities of the State. He has, however, the logical consistency to refer to the Catholic Church also under civil terms as a rival and false kingdom, "a kingdome of darknesse". Its organization should not exist, but in so far as the Papal organization does exist it is a State, and discussion of it comes under the rubric *De Cive*. Those who came after Hobbes, deliberately in Protestant countries and frequently tacitly in Catholic ones, have found it convenient to take for granted the same assumption that the genuine political field was that of State activity, because the genuine organization of the Community (or, in slacker phraseology, the Community itself) was the State. Ecclesiastical activities were a side-issue, a mere department of social life, almost a vestige or even a whim. It need, however, scarcely be pointed out that such an assumption would have been meaningless to Aristotle, who knew of no fission among the major organizations of the community, and would have been vigorously denied by the Schoolmen[1]. In the last few years, moreover, this *petitio principii*, which identifies politics with the activities of the State because it first, with Aristotle, identifies politics with the activities of the Community, and then, with Hegel, identifies the Community with the State, has been challenged. A school is arising[2] which is beginning to insist upon the distinction between State and Community. The use, in the Geneva Protocol, of such a phrase as the "international community" further emphasizes the distinction[3]. To think clearly it is necessary to distinguish in our minds between words frequently used synonymously: Government, State, Nation, and Community.

It may well be asked why we should not be content to identify Politics with the study of the Polis or of the Community which is the *genus* of which the Polis was the Greek specific form. Such an identification we are indeed prepared to make in so far as, by recalling the original and Aristotelean use of the word "politics", we get rid of the traditional bondage of Politics to the study of the modern State as a final political form, whereas our very object as scientists must be to study the modern State in its context as a transitional form. But although, for popular purposes, we may say that by Politics we mean what Aristotle, the founder of the science, meant, we cannot be entirely satisfied that this degree of precision is adequate. The study of polis or community is indeed another case of study of an example, although a very inclusive one, as though we said that Biology studied the vertebrates or animal life. We are rather concerned with the study of the *political* aspects of the life of the community, and certainly not with *all* the aspects of the activities of the community and its members, which would be the study of human life itself. Such a social study would only be compassable if, following Plato, Aristotle in large measure, and Hegel in his description of his *Staat*, we limited ourselves to directing attention to what life *ought* to be in a community, which it is no part of our scientific purpose to do. Politics must be at once broader and narrower: it must be a study of what characterizes the life of the community and perhaps of other societies within, or intersecting, or including it, but a study of it only in respect of certain activities.

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[1] A. E. Zimmern: *The Greek Commonwealth*, 1922, p. 153; W. Warde Fowler: *The City State of the Greeks and Romans*, 1913, pp. 13–15. Also Gierke: *Political Theory of the Middle Age*, trans. Maitland, 1922, pp. 10–18, and *infra*, p. 408. Noteworthy, also, are the uses of Hooker ("Ecclesiastical *Polity*") and of the Wills Act of Henry VIII ("bodies *politic* and corporate"). In the case of most writers complete confusion prevails in the use of the words "political" and "civil". Thus Wyclif puts *civile dominium* into a category contrasted with *dominium naturale* (*De Civili Dominio*, I, *ad init.*); John Locke identifies "Political or Civil Society"; and S. Bolton, 1646, quoted in Murray's dictionary, writes "the King performs his part in a politicall way, the officers of the Church in an ecclesiasticall way". Likewise, "the king is a body politic" (Calvin's Case, 7 *Coke Rep.* 12*a*). The phrase *ius civile*, as distinct from both "natural" and "canon" law, seems to fix the correct use of the word "civil".

[2] R. M. MacIver: *The Modern State*, 1926, p. 40. Cf. K. C. Hsiao's survey of the Pluralist School in *Political Pluralism*, 1927.

[3] Protocol for the Pacific Settlement of International Disputes, proem: "recognizing the solidarity of the members of the international community".

The attempt, however, to split up life into various "activities" is one which is likely to meet with very serious criticism. Leaders of thought in the present generation are engaged in a fierce battle, against representatives of the last generation and many a conservative in this, on behalf of a more humane and encyclopaedic attitude to learning. It is a battle which has been joined in defiance of departmentalism, of the pursuit of learning for learning's sake on arid uplands of scholarship where the flowers of emotion and imagination never grow, and of the treatment, for example, of "political history" as though such things as money, industry, property, or tools had never existed[1]. With this movement, although we can regard the age of encyclopaedism as no more final than the outgoing age of intensive scholarship, we can feel, while high standards are maintained, little but sympathy. But it does not follow, because more perspective should be shown in the writing of history or in the educational presentation of science, that the scientific method for the attainment of results should itself be solely synthetic. Rather the whole history of science warns us that synthesis must not be attempted until the science has reached a mature condition, unless it is to degenerate into philosophasting. The sound conclusion from the argument would rather seem to be that a new science, such as Politics, must be prepared to range wide among the other sciences for suggestions (instead of, for example, following a rigidly historical method), that it must free itself from the incubus of an archaic and strangling tradition in the use of terms, and that those who study it must be men, not of the library, but of a first-hand acquaintance with their material in the world of affairs.

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[1] C. A. Beard: *The Economic Basis of Politics*, 1924, pp. 87–8: "We are therefore confronted by an inherent antagonism between our generally accepted political doctrines and the actual facts of political life. In the world of natural science men do not tarry long with hypotheses that

If this counsel be followed, the scholasticism which bids us spend all our time studying the history of what previous theorists have said, instead of heeding their words and, like Hobbes, not "reading more than other men", will be thrown overboard. The physician who is only a student of the history of medicine will kill his patients. And if we disencumber our mind of the idolatry of ancient terms we shall soon find that we, as much as any historian of civilization, are calling "political" what for long has been docketted in our minds and placed away as "economic" or "social". The impeding distinction

will not square with observed phenomena. Shall we in the field of political science cling to a delusion that we have to deal only with an abstract man divorced from all economic interests and group sentiments?" Also H. E. Barnes: *The History and Prospects of the Social Sciences*, 1925, *passim*. I have endeavoured to touch on the problems of the new encyclopaedism in the *American Political Science Quarterly*, June 1927, p. 316.

between political science and a specific sociological science will disappear. The whole subject will live.

Politics the study of an Activity, not of a Thing. If, then, we may abstract Politics from other studies of social life, just as we separate zoology from other biological studies, and chemistry from other physical sciences, our sole concern will be the particular aspect of social life which it will be desirable to select. The aspect will, however, be but the manifestation of an activity; we must then study the activity. The activity, again, will be but the common nature of a series of acts; we must then isolate the political act. We can have little hope for our science if this activity is not of a very simple and general nature, such as may easily be used to demarcate a broad field of human life; the act, therefore, must also be simple and widely distributed. It must be commonplace and frequent of occurrence; for no science can be based on the study of rare and incomparable phenomena. Chemistry would have made no progress if a chemical combination took place only a few times in a century and then in forms so widely different as to be severally unique. And yet this is what is involved if we take, as the units and subject-matter of our science of politics, civilizations or States.[1] We seek some most commonplace human act which is social in character and generally consonant with, although more precise than, what the plain man means by a political act. As we have explained elsewhere, the act of control or of "government", in the broadest sense of that word, seems to answer very admirably to our requirements.

It appears, then, well to define politics, without at present attempting precision, as *a study of the act of control*, or as the act of human or social control.[1] The phrase is, of course, open to immediate misunderstanding if by *control* we were to mean *domination*. Immediately we should be reminded that, despite the philosophy of Hobbes and of eighteenth- and nineteenth-century individualism, more things are wrought by cooperation than ever by a domineering display of the will-to-power. Little profit is to be got by assuming a world of criminal lunatics, when we know quite well that the world is not composed of such. To think otherwise is to put oneself out of touch with all the most hopeful movements of the present and to be far too hasty in making deductions from what anthropology teaches of the past.

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[1] Vide *The Science and Method of Politics*, 1927, p. 140, and the passage from F. W. Maitland's *Collected Papers*, 1911, III, there quoted: "In the real world the political organisms have been and are so few, and the history of them has been so unique that we have no materials apt for an induction of this sort, we have no means of forming the idea of the normal life of the body politic" (p. 295).

The word control must not be taken in so narrow a sense. The object of control is to assure oneself of the action of another, and to know that this action will be in accordance with one's will. An established habit of cooperation may provide us with this guarantee in a fashion which no physical domination, financial mastery, or moral tyranny could do, since the element of friction, resistance of will, and would-be rebellion is reduced, on the part of the other party to the relation, to a minimum. Cooperation represents a stabilized harmony of wills. The most delicate of all conditions of control is this condition of contractual or mutual control, not by the imposition of the will of one upon the other, but by a parallelism of wills in terms of concurrent interests. A rather less stable condition of equilibrium is established when one party unreflectingly acquiesces in the will of another, without any critical examination of interest, and passively assists the more active partner. In all these cases we have generically a control relationship, with a guarantee for future action, but we have not a relation of domination.

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[1] This statement, which involves analysis of the social complex into individual acts of control, whether performed plurally by individuals in unison or not, must be distinguished from Professor Giddings's statement: "general sociology . . . is particularly concerned with the phenomenon of social self-control" (*Studies in the Theory of Human Society*, 1922, p. 200)—a statement which holds good only when our study has reached the plane of such highly organic compounds as the group, discussed *infra* in Chapter VII. In sociology, as in psychology, we must start with the individual. Professor F. A. Ross, in his admirable book on *Social Control* (1901), is also concerned with the stage when the social institution has been reached and not with the elemental factors of which society or group is the composite form. Cf. G. Tarde: *Social Laws*, trans. Baldwin, p. 56: "Sociology requires a fundamental social fact."

Politics, Economics, and Genetics. The act of control itself admits of analysis into two constituents: first, the fact that men are associated in society, and, second, the desire to be assured that the actions of other men will conform to one's own wishes or not frustrate them. The Aristotelian political philosophy has emphasized the former; the Hobbes-Spinoza political philosophy has stressed the latter factor. Politics is a perpetual endeavour to avoid being baulked by one's fellow-men. What, however, it may be asked, is all economic activity but precisely this thing? And is not, again, the study of baulked dispositions a matter for Psychology? And social arrangements one for Sociology? It may here be pointed out in passing that it is an argument in favour of the soundness of our method in selecting a political act for study that Economics was compelled to adopt the same procedure and, departing from the study of moral sentiments, was led to make, in the post-Adamite period, a study of the simple economic act. The business transaction, however, is not characteristically an endeavour to avoid being baulked in one's wishes by one's fellow-man. One does not enter into it with that intention, but in order to procure goods or money, and what money gives, by the sale of an article—although, once bargaining is begun, one has no intention of being defrauded by one's fellow. The object of economic enterprise is to procure an article, in the simplest instance food, or its token equivalent, in return for an article or the labour which is indispensable in the production of an article. The object is to procure something, and the negotiation is primarily with things and only secondarily with "hands" and "capital" and "the markets", which, in the concrete, means "men". Men, for the purposes of the strict economic transaction, are assimilated to things. Hence there is a grave practical danger when fields of public life in fact political, such as the financial and industrial control by employers of a large section of the citizen population, are traditionally regarded as "purely economic" and as lying within that field of *laissez faire* in which "the Government must not interfere with business".

In the political act, on the other hand, the primary object is to procure some personal adjustment of the will of another man to my will, although, incidentally, I may use financial means to procure my ends. It is precisely as an active will and person that I primarily regard this other individual. The psychological backgrounds of the economic and political activities are different. In the simplest terms the one is urged on by the need of food, the fear of hunger, precaution against hunger or shortage, love of sufficiency and luxury, acquisitiveness, the desire to *have* more (πλεονεξία), greed of wealth. In like simple terms the other arises from fear of violence, precaution against violence or constraint, love of freedom, the gratification of one's wishes, ambition, love of power, desire "to rule whenever one can",[1] and love of prestige. And although the pathological study of the baulked individual mind may be a task for Psychology, the objective study of the activities in society of those who desire freedom to carry out their wishes and who fear restraint is a matter for Politics.

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[1] Thucydides: *History*, V, § 105: "*οὗ ἂν κρατῇ, ἄρχειν*". The tendency of the classical school and of the Marxians has been to explain political activities in terms of economic desires. "Dominion is not an end in itself, but merely the means of the rulers to their essential object—the enjoyment without labour of the consumption of articles as many and as valuable as possible" (F. Oppenheimer: *The State*, 1908, trans. Gitterman, p. 244). The biography of great industrial magnates, and especially of the great railway magnates who opened up the West, renders it probable that, at least as much, economic activities can be explained in terms of political desires. "Men may begin to acquire property to safeguard their lives from want, but they continue to acquire it because of the distinction

Undoubtedly the adjustment of the wills of employer and employed is occupying a position of increasing prominence in modern industry. If this relationship is to be regarded as primarily political, although it may be studied properly enough in an economic context as a border subject, like international finance, what, it may be asked, is left for Economics to study? What, again, can another branch of sociology (or of the social sciences) —Genetics—study, if not human relationships, marital, parental, and racial?

It will be noted that the confusion between Economics and Politics is not so baffling in the field of exchange. The object there may occasionally be, by personal prestige, cajolery, or jobbery, to control the market. More frequently the object is to secure free competition, in which the goods can be sold upon their advertised merits and proved utility. Our object is to secure free bidding, or, if the market is controlled, to see that the purchaser is only so indirectly affected as to remain in ignorance of the fact. To secure an overt and political guarantee would be to destroy all the rules of the game, which is that objects should so far as possible, with adequate advertisement of an inoffensive kind, sell themselves, with the maximum elimination of personal sentiment on the part of all concerned. Economically the history of the Mercantile Policy, with its colonial control, is not a happy one. Constraint to "buy Empire goods" is a political and not an economic pressure. The economic borderline is more

which comes from its possession. It satisfies their vanity and their lust for power, it enables them to attune the will of society to their own" (H. J. Laski: *Grammar of Politics*, ed. 1925, p. 175; cf. Veblen: *Theory of the Leisure Class*, 1899).

vague in the field of production, and especially in the relation of capital to labour. And here the essence of the difficulty is that we have for long talked about relations of capital and labour when we meant relations of citizens and citizens. The correct conclusion is that we are here dealing with an important political matter. It is of the first practical importance that we should recognize this fact instead of befuddling our minds by quite artificial distinctions, after the style of John Bright, between "government" and "business". It may, of course, on the other hand, be true that civil government is becoming ever less called upon to "rule men" and more and more to perform the partially economic task of administering things, e.g. installing electric lights to regulate automobile traffic—a task only "partially economic" because we are still concerned, not only with the production of a perfected system of machinery, but also with the adjustment of wills.

So far as Economics is concerned, production could go on, and the problems of economic production would still have to be solved, if the entire labour of production was entirely performed by mechanism. Our new definition of Politics in no sense works havoc in the field of Economics. This latter remains the study of how to attain, in theory and in fact (and practical application will involve political, ethical, psychological, medical, engineering, geographical, and other considerations), the consumption of the most useful article exchanged at the cheapest price and produced with the highest profit to all concerned. That is not the practical or theoretical problem of Politics. The confusing term "Political Economy", invented by Antoyne de Montchrétien to distinguish economic activities of a public nature from domestic economy, would be better abandoned or used as sparingly as we use the words "Public Finance".

Genetics is the time-study among the social sciences.

It has its background in the sexual instinct and in the facts of biology, heredity, and eugenics. The present relationships between human beings are entirely secondary to the consideration of their breeding well and in such a quantitative and qualitative fashion as will conduce to the ultimate happiness (not solely owing to the will of man, but by grace of the biological laws of nature) of later generations. Genetics is concerned with the relation of the body, through the generations linked by the continuity of the protoplasm, with the sentimental and physical continuity of tribe, nation, and race, and with the intelligent control which man has over his body, his breeding, and the purity or admixture of nation and nation and class and class. It is thus a field easily enough to be distinguished from Economics and the relation of man and things, and from Politics and the relation of men and men, not as bodies, but as wills. It seems reasonable to divide the whole field of the social sciences between these three, although the social sciences are supported by contributory historical disciplines, such as Anthropology, and by the conclusions of independent and more fundamental sciences, such as Psychology and Biology.[1]

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[1] As I have stated elsewhere it seems to me to be possible to understand by Sociology *either* the aggregate of social sciences along with their historical disciplines *or* the study of human interactions (men with men, as distinct from things or generations), their conditions and consequences, abstraction being made of the historical detail, as distinct from the method, of these interactions. In the latter sense it becomes identical with Politics as I have tentatively defined this science. It seems to me important that a distinction should be clear between, on the one hand, Politics or Sociology—which as sciences must abstract and which must aim at such treatment as will permit (as does Economics) of the application of measurement—and, on the other, Social or Political Philosophy which, I would suggest, is concerned with "social life as a concrete whole". Nor does it seem to me to avoid the cardinal danger of confounding science with philosophy, which has afflicted almost every science in turn, if we distinguish between the critical and synthesizing work of Sociology and "a social philosophy which would estimate their" (social institutions) "goodness or rightness in the light of ethical theory" (M. Ginsberg: "The Scope of Sociology", *Economica*, June 1927). Philosophy (and social philosophy) is surely much broader than Ethics. This matter would scarcely merit

When we turn to the actual selection and allocation of data, the difficulty is far slighter. Neither politicist nor economist is likely to claim vital statistics for his share, however much both may appreciate the economic and political importance of the population problem. The study of rites of initiation and marriage falls equally patently to the history of Genetics, although the economist will remember the property theory of marriage and the politicist the *manus viri* and the *patria potestas*. The stock market and the business cycle, the immediate effects of technical inventions, wages, prices, supplies, transport, are subjects which no one desires to filch from the economist. Details of international, national, and municipal administration; the executive machinery of societies, churches, and associations; propaganda and the control of public opinion provide a very ample nuclear field for the student of politics. And no prudent person would attempt anything more than to indicate such nuclei. One group of data alone seems to demand special attention. The history of religion seems to stand apart, a matter of interest to each of our sciences, not untainted by economic considerations, a sublimation of earthly love, the last flight of the will to a freedom found within. And yet religion seems to elude the analysis of each of these sciences, for it would seem that, ultimately and fundamentally, it is not of its nature social at all, but belongs to the fields of Aesthetics and Metaphysics and to the study of things immediately beautiful and ultimately true. The study of the Church rests, of course, primarily with Politics.

We shall then define Politics, not in terms of objects, such as States, but in terms of an activity, that of estab-

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discussion, since far from having any desire to pick flaws I should desire to insist on the empirical and non-exclusive methods of political science, were it not that I confess to a fear of this "concrete whole" on which rock I suspect that many fine ships of social science will founder as physical science foundered until Democritus abandoned the "concrete whole". I am encouraged in my fears by the number of those who, I discover, share them.

lishing control. We shall define our science as the study of society in so far as it displays the relationship of men primarily with men. More precisely we shall define it as a study of the control relationship of wills. We shall do this, confident that no more conventional definition is likely to lead to a true conception of our subject or to enable labour in the field to produce fruit in scientific conclusions. The ground for the precise choice of words will be explained later, but must anyhow be chiefly justified in terms of useful results.

Political Method. Having defined Politics in terms of the generic political act, it is now possible to turn our attention to the various species of this act, the various forms of behaviour adopted, and the fashions in which the act is adapted as a method of meeting situations of difficulty. It is, be it noted, several acts of a kind, gathered together from innumerable instances and subsumed under generalizations, which admit of statement in their sequence as political laws.

In the last chapter we implied, rather than justified the statement, that laws were to be detected in the political field. Only a warning was uttered against those generalizations, frequently resting upon a quite flimsy empirical basis, which are often miscalled laws. Even where the title is better justified, there has been little attempt to distinguish between primary and secondary laws. It is, however, clear that if there are primary and secondary laws of politics they will be of a simple nature very closely connected with the more elementary political phenomena and with the nature of the political act.

That there is a certain order in political activities will not be denied. All reference to the experience of the statesman implies it. Nor is this order of a merely conventional and arbitrary nature. It is not true that the same things are done from year to year only because the laws or the local customs enjoin it. In war, of which the strategy is certainly not regulated by domestic custom, there are certain considerations constantly to be borne in mind which form the basis of military art.[1] There are rules of trade and maxims of diplomacy. There are certain traditional psychological attitudes which all men of the tradition adopt to given situations, social or material. And these attitudes are based, not on caprice, but on experience derived from trial and error. The attitudes have become conventionalized. All these habits, although of a very general and unspecific nature, imply not only certain persistent geographic or engineering or economic factors, but that human nature remains the same at all times and under every skin. This does not mean that men's moral customs are even remotely the same. Still less does it mean that "history repeats itself", which in detail and content it certainly does not. It means that in certain situations long experience has shown that there is a better and a worse way out. Or, to put it in a slightly different way, that men will tend (out of regard for their interest as they understand it) to pursue in given cases a given course. What, indeed, they will understand their interests to be and how they will view their social environment—what environment they will see—their particular culture will determine.[2] But this historical variant does not disturb the persistence of the methods which human desires dictate in dealing with the outside social world as it is conceived to be.

As distinct, then, from the "method" of scientific approach (which is merely that of any natural science), in studying given cases we are brought to the consideration of the "methods" (or "habits") of political activity itself, and one of our chief concerns is the examination of these methods.

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[1] Cf. General Grant's remark: "Neither of us originated the idea of Sherman's march to the sea. The enemy did it."

[2] Cf. F. Znaniecki: *Cultural Reality*, 1919.

Methods obviously will be many and various, adapted to different *situations*. But they have this in common, that they represent the resultant of certain persistent human desires reacting to certain recognizably similar situations. The desires may not always be enlightened by intelligence and a grasp of objective reality, and the method may not always be adopted; but certain considerations may hearten us to feel that we are not here following a will-o'-the-wisp.

Man is certainly not the intelligent and highly self-interested being of the Helvetian and Benthamite philosophy. The briefest study of family and tribal custom, or indeed of instinctive life, will show us that man, along with other animals, frequently acts with an altruism most contrary to his immediate physical interests, which altruism must yet rather be assigned to the immediate reaction of deep-seated emotions and instincts than to any lofty philosophy. As descended (perhaps) from gregarious animals, man may have a positive pleasure in self-abasement and a masochistic satisfaction in pain and heroic sacrifice. Certainly, in animal ethics, such feelings seem to be strong enough.[1] Where, however, such emotions are not touched—and most of life's business is not conducted by an immediate play on the parental or sexual instincts or even on the secondary patriotic and group emotions—every glimmering of intelligence and every imitation of the intelligence of others, that is to say, all experience and traditional custom, will impel men to adopt the tried method.

Moreover, in so far as this method is the best wherewith to meet the situation, it will be utilized to further that interest, whatever it may be, of children or country or group which we have at heart. Only in the case of persons at once individualistic and unintelligent will the method not be followed where the situation, which calls for the method, is recognized as conforming to type. Whatever may be the content of the wish, an "x" in our political algebra, the demand for its accomplishment introduces determinable factors.

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[1] Cf. W. M. Wheeler: *The Social Insects*, 1928; Espinas: *Les sociétés animales*, 1877; also Maeterlinck's literary studies of *The Bee* and *The White Ant*.

The chief difficulty occurs in recognition. The natural indolence of man leads him, like any animal, to rely upon certain obvious marks. But the social environment, political and economic, is one of rapid change compared with some, although by no means all, of the aspects of the physical environment. The factors are more complicated, recombine more subtly, and recognition is more difficult. Hence repeatedly situations, from mental indolence or party interest, are declared to be the same which are essentially not the same, whereas situations essentially the same are, owing to superficial differences, assumed to be dissimilar. The plain man does not easily see the chemical similarity between coal and diamonds. Hence the adoption of the typical method may be expected to be most frequent in the simplest and most frequent situations—such as using the national courts of law as a security against a burglar for an offence committed within their jurisdiction, or even entering into the relationship called marriage to another person or entering into a promissory relationship—and not in complicated problems of State.

This method is itself concrete political law merely standing in need of appropriate and exact formulation. It is more than generalization if we can not only state a habit, but explain that habit in terms of (*a*) a recurrent situation capable of analysis into its elements and (*b*) the known previous habits of reaction of human desires on situations of a more elementary nature.

To take an instance[1]: I am asked a question. The truthful answer to such a question will involve the frustration of my wishes. It is axiomatic that every man wills his wishes, *ceteris paribus*. I adopt the not infrequent "method" of lying, and escape thereby in a primitive fashion from my difficulties. Now take a more complex case. I am confronted with the same question and the same consequences of truth. In brief, the situation is pragmatically the same, with one difference. I know that lying, if found out, will bring punishment upon me. I adopt the customary "method" of professional frauds: I tell a lie and then betake myself elsewhere. Repeat the situation and add two further factors, and thus far alter the total situation, viz. that I cannot abscond and a belief that the detection of the lie will injure my reputation. The latter factor is objective in the sense that its existence could be adequately conjectured through objective conduct. Let us assume that a bald statement of truth will defeat my case; moreover, *ex hypothesi*, I desire the fulfilment of my wish. Here the "method" of diplomacy of the lawyer, of all official correspondence, where the highest interests are at stake, come into play, the method of careful and non-committal wording. But the proverbial disfavour with which the methods of lawyers and diplomatists are regarded is due to the fact that simple men do not use their words so carefully, because their responsible situation is not the same. Words are so chosen as to leave it possible for both parties to feel that they have their way left open to the maintenance of their principle or to the attainment of their object—or at least that it has not been conclusively blocked.[1]

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[1] *Vide* p. 35 *supra*; cf. also G. Simmel: *American Journal of Sociology*, XI, p. 447, and the comments in A. F. Bentley's *The Process of*

Government, a Study of Social Pressures, 1908, p. 474, also pp. 279, 307, 371, 398, etc.—an uneven and bewildering book which yet contains many happy illustrations, very right ideas, and most important expositions of sound political method refreshingly expressed.

[1] G. Ratzenhofer: *Wesen u. Zweck der Politik*, 1893, I, p. 15: "an die Stelle der List trat die Politik als zielbewusste List, mit welcher die

The alternative is the direct clash of wills and the method of war.[1] Where religious considerations intervene, detection is considered to be certain by the Judge within or above, and the offence is brought home in a true estimate of reputation. On the other hand, where the wish itself is regarded as sacred, as being the interest of country, group, or cause, the factor of shame in detection largely ceases, as in war, to have play. It does not follow that the wish will be abandoned where religion comes into play, but rather that the will of man will endeavour to struggle with the angel of the Lord. Religious literature is full of attempts of men to show to the Lord that their private wishes, properly understood, are consistent with His commands. And rightly, for the human impulse is not in itself bad, and it seeks its way to its object through the maze of rights and wrongs of the social system. Murder is socially wrong and hate may be socially wrong, but indignation at a wrong done is right in itself, even though it lead to hate and murder.

The situation in which the high interests of countries require the use of a particular method of extremely careful nature, which some men are, from an impetuous, tactless, or weak character, or from lack of training, incapable of pursuing with success, is an extremely common situation, and one easily recognizable. Security against lying, in specific cases, has been set up, it will be noticed, by the guarantee of the law courts in cases of perjury, breach of promise, fraud, forgery, and the like. The burden of laws against these offences, as well as the financial burden in

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gesellschaftlichen Beziehungen geordnet, der Krieg eingeleitet und abgeschlossen wurde".

[1] L. Gumplowicz: *Der Rassenkampf*, 1883, p. 176–7: "Zweck aller Kriege ist immer der gleiche, wenn er auch unter verschiedenen Formen angestrebt und erlangt wird—nämlich sich des Feindes als Mittels zur Befriedigung eigener Bedürfnisse zu bedienen. . . . Er ist daher zwischen heterogenen Elementen ebenso natürlich und unvermeidlich wie die ewige Wirksamkeit der verschiedenen Kräfte auf dem Gebiete aller andern Naturprozesse."

fees and taxation for the maintenance of courts and police, the public bears in return for the security.

The Political Unit. The study, then, of the laws of politics presupposes a study of social methods which are the particular applications of these laws of human pursuit of private will in a social context. Methods themselves are constant to type to the extent that human desires of the same character are repeatedly confronting situations which can, and statistically will, be dealt with in approximately the same fashion. The elements of the method are the desire, on the one hand, and the objective situation which places a curb on that desire, the situation viewed as resistant to desire, on the other. The method arises from the interaction of two known, and hence calculable, factors.

It is clear, however, that the desires of man are by no means constant, but as various as they can well be. It would appear, then, that any attempt to treat these desires as a constant factor must be in the highest degree artificial.

The desires for money, for honour, for pleasure, for religion, for a red hat, for an oyster, seem to have little or nothing in common. Yet it may be remarked that they have, in every case, just this in common—that the agent proposes to convert his imaginative wish into effect through action; he proposes to realize his wish. The proposal, when it translates itself into the beginning of a sequence of actions with a view to realization, becomes a determination. The contemplative wish becomes an executive purpose. And the quality of *will* as the determination to realize a *wish* is independent of the quality of the wish itself, which was desired and has become willed.[1] This will is independent of the nature of the wish, or of whether it be good, bad, or trivial. The will only looks to the fulfilment of the wish, and the will's only distinctive quality is that of strength or weakness.

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[1] L. T. Hobhouse: *The Rational Good*, 1921, p. 47: "It will be seen that the function of the will is to bring unity into our volitions, as the function of volition was to unify desires." While following Professor Hobhouse in making distinctions, e.g. between desire, will, wish, and determination, the distinctions which we have made for our purposes here are slightly different.

The common quality, then, of all willing, whether of sinner or saint, statesman or trifler, is this persistent activity with a view to translating that which is not, save in the imagination, into that which is. With whether the "will" is a "free agent", with whether will can be spoken of apart from conscious personality or apart from its manifestation in behaviour, with the metaphysics or psychology of what Professor Dewey calls the "alleged fact of will", with the nature of the stimulus which provokes this steady activity, we are not concerned. Sufficient that every man has this formal and executive will (in the technical sense) to execute his contentual wish (or "will" in the popular sense). And this process of persistent action with a view to changing the objective world so that something comes into being which before was only imagined as desirable, is going on from moment to moment every day.

It may well be asked if we can afford to neglect wish and to study only will. Admit that this will of man has the immense scientific advantage of being an undoubted common factor to actions and one of the most general and powerful factors in experience, do we not embark on a vain scholasticism if we take just this "will for nothing in particular", or, more accurately, this will for something "x" in particular, as the subject of a study? Is it not all-important to study the psychological founts of action and the nature of men's wishes? How otherwise can we hope to control their actions? For Psychology it certainly is important that we should study the types of sentiments and of wish; for Philosophy it certainly is important that we should relate them to the rest of our experience; and for Ethics it is important that we should estimate and evaluate them. But this may not be the task of our particular science, which will have a sufficient undertaking on hand if it endeavour merely to understand how men carry out their wishes, whatever they be, and leave to others the discussion of what these wishes are or should be. The control of human action may take not only the form of the eradication (if possible) of certain wishes or the repression (if possible) of them, but also of the regulation of their means of expression, as activities of will, upon the outside world. It is this course of inquiry which we propose to explore.

If we are right in treating the elements of those type-actions, which we have called "methods", as the proper subject for our study—methods which are themselves but so many species of the fundamental political act whereby one man endeavours to assure himself that the act of another will be in accordance with his own will—then we have acted properly in not making the first object of our enquiry "society" itself or any highly organic and unanalysed whole. All inquiry into society as a structure must wait until we have completed our inquiries into what may be known about the simple political act and its variety of methods. For this we shall have to start from the will, not any mystical corporate or social or racial will, still less any social organism, but the will of the agent, the individual will, although from that will as actually operative in society.[1] We start our political studies from the individual and from constant factors in the individual which we know, e.g. his will to put into effect his desires, and not from society which we do not know, although we know much about it, and which it is our very object to understand. The unit in politics is the will-unit—in the first instance the will of the individual agent, although at a later stage we may have occasion to discuss the case of the unitary will (anthropologically, but not scientifically, perhaps the earlier) of organic social groups.

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[1] Ross: *Foundations of Sociology*, 1926, p. 80: "There are, in brief, as many causes to a social phenomenon as there are human wills involved. Every free individual is a cause." *Ibid.*: *Social Control*, 1901, p. 72: "We are not yet sure, however, that man is the 'good ape' Buffon supposed him to be. There is good reason to believe that our social order is by no means a mere hive or herd order. It seems to be a fabric, rather than a growth." This is not at all to deny the truth, anthropologically, of the statement that "la vie collective n'est pas née de la vie individuelle, mais c'est, au contraire, la seconde qui est née de la première" (F. Durkheim: *De la Division du Travail social*, 1922, p. 264; cf. W. M. Wheeler: *The Social Insects*, 1928). Nor is it to deny the truth, biologically, of the statement that "the biological unit of human life is neither the individual nor the State, but the family" (F. C. S. Schiller: *Eugenics and Politics*, 1926, p. 21).

Political Structure and Process. In Politics we are concerned to study the power of the will to change the objective world. But it is a certain aspect of the objective world which we shall study, and it is not that which Physics and Engineering have as their portion. Our concern will not be to study the action of machines on the inanimate world, but of willing beings in influencing and controlling like willing beings. It is easy to suppose that this resistance which the human environment offers is one in every sense more tenuous and weak than that offered by the physical environment to man's designs. Nothing can be farther from the truth. Although we may rightly assert that the study of individual action is of the *principia* of Politics, the individual is actually confronted in his action with a highly organized system tenaciously resistant to all vagaries of individual will. The individual does not live in a world where the wish spontaneously generates the act, but where fulfilment always involves the energy of action and often a fight against social resistance. This resistance will be especially vigorous against any disturbing action in cases where the collective will of society, as expressed in its conventions and institutions, is especially firmly set.

To these prejudices and traditional ways, of which the first consideration is not whether they are good or bad, but that they exist, Durkheim has given the suitable name of "social facts".[1] For our purposes it is a better word than Sumner's "folk-ways", since we desire to include institutions as well as conventions, explicit and tacit, and to indicate their power of offering opposition to the adventurous will. These facts are not only something which it is beyond the power of the individual to change and which it involves a collective revolution to alter abruptly. They have the broadest power to change and modify the individual. From birth to death all his conduct, all his education, is influenced by them. His ideas are formed with them in mind. And even if he rebel against them they still bind him, for history will point out how all his rebellion of act or thought is coloured by the fact that it is against them that he has rebelled. A revolution is always a revolution *against*—and is thereby determined. These facts, resistant, enduring, organized over centuries by the agreement of millions of wills, built up as a coral reef by a myriad of coral insects, slowly changing under pressure from a changing environment,[2] are in their totality the social structure, a concrete creation of will. And in this social *structure* the individual will is one corpuscle, acting and reacting in its small sphere.

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[1] E. Durkheim: *Les Régles de la Méthode sociologique*, 1919: "Un fait social se reconnaît au pouvoir de coercition externe qu'il exerce ou est susceptible d'exercer sur les individus; et la présence de ce pouvoir se reconnaît a son tour soit à l'existence de quelque sanction determinée, soit à la résistance que le fait oppose à toute entreprise individuelle qui tend à lui faire violence" (p. 15). "Est fait social toute manière de faire, fixée ou non, susceptible d'exercer sur l'individu une contrainte extérieure" (p. 19). "La cause déterminante d'un fait social doit être cherchée parmi les faits sociaux antécédents, et non parmi les états de la conscience individuelle" (p. 135).

[2] J. Dewey: *Nature and Experience*, p. 73: "The isolation of structure from the changes whose stable ordering it is, renders it mysterious." The change of skeletal structure, however, tends to-day to be slower than that of the environment—a situation well termed by Professor Ogburn (*Social Change*) "cultural lag." In point of fact, it would perhaps be preferable to refer here to "institutional inertia" in contrast to a "cultural lag" in mental attitude in relation to a rapidly changing material and objective civilization. Despite certain objections to this use of the words "culture" (*colo*) and "civilization" (*civis*), it seems to be the most consistent with common parlance. On the one hand, institutions are organically correlated with, and dependent upon, their environment in civilization. As J. S. Mill says (*Logic*, Book VI, ch. x, § 5), there is a "necessary correlation between the form of government existing in any society and the contem-

That action and reaction we shall study, confident that the whole structure is nothing but the total of such acts, different qualitatively only in that the plural reaction of ten thousand upon ten thousand is a distinct experience from the action of one upon one. We are concerned, not with any endeavour to reduce motives to a system, but only with the organization which has slowly been built up by the accommodation in fact of will to will. Its rules are the rules of that objective logic which lays down conditions under which alone ideas may realize themselves in the world of fact. This social world is not unreasonable and chaotic, but reasonable, and the slow product of the grinding of intelligent will against intelligent will. We shall study man's mind and motives, as alone they may safely be studied, in terms of the abiding and indisputable works of that mind. We shall study them in their creation, the social structure with its institutions and conventions.

The constant adaptation and readaptation of means whereby the more and the less permanent human needs may be satisfied in a more or less permanent material and (secondarily) social environment, the twistings and contortions of the life-stream of human energy adapting itself in institutional expressions to the demands and circumstances of the time, the whole system of "methods" —it is this which is to be referred to as the *political process*. It must be considered as fundamental to structure, convention, and institution, in the same fashion that

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poraneous civilization." And this civilization is itself integrally correlated with the physical background, as was pointed out laboriously by Buckle. On the other hand (Ogburn: *op. cit.*, p. 342), the culture is a factor in determining the inventions and organizations of control over civilization and physical environment.

a certain chemical activity is essential to the building up of the frame and organs of the human body.

Politics, then, it may be said in summary, involves much more than the study of what Durkheim calls *le fait social*—that is, the anatomical study of social *structure*, whether expressed as *convention* or crystallized as *institution* and organization[1]—or the study of the less permanent and more obviously instrumental forms of social organization, through which man fulfils his ambitions and relates himself to his fellow-man. It also involves the physiological study of a *process*, which can be analysed into a series of individual *acts* of control, by which a man effects the realization of his will. And, as Machiavelli wisely observed, each individual does not hew a fresh path to success through social problems or find a fresh *modus vivendi* for himself. On the contrary, certain *methods* of coping with political difficulties, which tend to recur in only slightly divergent forms, are repeatedly adopted. The same assumption is implicit in the treatment adopted by Plato and Aristotle when they came to elaborate their doctrines of the causes of revolutions and of the rise and fall of commonwealths. Hence grow up, modestly enough, principles of statecraft, principles of strategy, principles and precedents in law. There are methods of party organization. A faction, a foreign foe, a criminal, are not new occurrences, and the methods by which we meet them are not new, although in broadly divergent cultures they will not be narrowly comparable. These methods are standardized in particular societies as particular conventions.

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[1] An extremely valuable study of institutions has been made by Professor F. Allport (as yet unpublished, but *vide* paper read before the Social Science Research Council at Hanover, N.H., 1926), which shows that conventions, instead of being group action dictated, in accordance with the theories of the older social psychologists, by some spirit of the social organism, is the stereotyped action of certain individuals confronted with a certain recognized situation. Professor Allport refers to that as an "institution" which is termed a convention in the text (for the sake of a distinction which it is hoped is convenient and for the better accommodation of legal usage; cf. Hauriou: *Principes de Droit public*, 1910, ch. iii: "L'Institution"; also R. M. MacIver: "Institutions as Instruments of Social Control", *Political Quarterly* ,v, 1914, p. 106; J. R. Kantor: *Outline of Social Psychology*, 1928, ch. viii). The convention, in other words, is the embodiment of the difference in the behaviour of individuals confronted with a recognized situation from their behaviour as isolated persons unaware of the existence of an approved method (cf. E. R. A. Seligman: "Social Theory of Fiscal Science", *Political Science Quarterly*, XLI, 2); an "institution" (consonant with MacIver's use) may be described as the embodiment of the convention in a conscious social formation of persons and things for the organization and control of those interested in this convention. It seems possible to distinguish, e.g. "religion" as a system of ideas or sentiments, "religious forms and ceremonies" as "conventions", "the clergy" or "the hierarchy" as an " institution ", and " the Church" as an "association" or "group" (but cf. G. D. H. Cole: *Social Theory*, ch. ii, where "religion" is an "institution" embodied in "the Church" as an "association"). Cf. *infra*, p. 376.

It must be our endeavour, first, to study the social structure and test the rigidity of this or that convention by some well-designed research into its social effects (perhaps where these show themselves in a quantitative and calculable fashion). We may well agree with de Tocqueville that what we call necessary institutions are often no more than institutions to which we have grown accustomed, and that, in matters of social constitution, the field of possibilities is much more extensive than men living in their various societies are ready to imagine.

Secondly, we must also undertake to look with the utmost diligence for instances of recurrent method, in order to discriminate, from mere accidental likeness, cases where human beings, constrained by an inherent logic of the situation, again and again adopt the same expedient. In part, these methods of dealing with recurrent situations have become such well-trodden "folk-ways" as to be themselves conventional, like the system of criminal law, or even institutional, like the law-courts. The tried and expedient method has become structural, as much as the class-system or the fact of nationality is structural, and a datum which any public or private person must allow for as an almost permanent fact. Indeed, all social structure, including national and class organization, in a more embryonic age was probably functional organization and supplied, flexibly and with an evident expedience, what was required to meet some urgent social need. We have recently been shown by Professor Malinowski that the social organization of primitive folk is probably far more utilitarian than is generally supposed.[1] In part, however, the "method" is only adopted now and again as the least objectionable way out of a difficult and occasional situation. Thus the expedient of war is not to-day structural (although an army establishment may be). It is yet no new process, but an ancient method of escaping from given types of social situation. If the essential constituents of a war situation were prevented from coming into such conjunction as to form the typical situation, and only then, might war be expected to be preventable.

Thirdly, the political scientist is called upon to observe experiments in political adjustment which are so much a matter of trial and error that we have no confidence that they will be continued in the same form. We must rather refer to them as political events. Some of these major events constitute *movements* which so far change the situation, which it has demanded social effort to meet, that there is little expectation of a recurrence of the movement. The motive or circumstances which gives rise to the situation has been abolished, diverted, or checked. Perhaps, optimistically,[2] we may instance the circumstances which render desirable slave labour or the legal disabilities of women as such obsolete situations. Nevertheless these historical events and movements, such as that for the abolition of slavery or for the enfranchisement of women, represent a certain pressure of human beings against their environment and the walls of the social structure in the endeavour to fulfil their individual or group wills. And the assessment of this *pressure* of "public opinion" gives us some index of the resistant strength of the structure and of the degree to which individuals find their wills expressed through, or frustrated by, their social institutions. The opportunity for *measurement* in politics is peculiarly in assessing the strength of these movements, and their swing to and fro, within and pressing against the more permanent political structure.[1]

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[1] B. Malinowski: *Primitive Law and Order*, 1926, p. 68.

[2] Probably any student of the "forced-labour" situation would hold, far too optimistically. It may be that the situation which tends to set up the master-slave relation is one which we can never happily write down as "non-recurrent".

We have, then, as legitimate subjects for political investigation (i) the study of the more abiding social structure. By this study we may be able to detect what is of the settled tradition, grounded perhaps on physical, economic, or racial facts, which even the maniac force of revolution is impotent to change, and what is amenable to reform movements, short of upheaval, or even to the puny pressure of the individual will. This structure itself represents social methods in part still required by circumstances, in part once so required and now vestigial conventions and institutions, and in part perhaps mistakenly believed to be required and responding, as superstitions, to some psychological need. We have, moreover, (ii) an obligation to study social methods, intermittently applied, by which man circumvents, within the given structural limits, the frustration of his will by obstacles arising in various types of social situation. The logic of these methods demands our analysis since, with the recurrence of like situations in the future, experience permits and teaches us to hazard the use of like methods. And, further, we have (iii) the study of movements, again usually within structural limits, which are entirely related to the historical circumstances of their origin, but which illustrate the determinations and resentments of human beings, and frequently yield to the measurement of their intensity or vacillation.

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[1] "Science was becoming, and has remained, primarily quantitative. Search for measurable elements among your phenomena, and then search for relations between these measures of physical quantities" (Whitehead: *Science and the Modern World*, p. 66).

The Use of Scientific Hypothesis. We have defined Politics as the study of the *control* relationship between willing beings. We have made it clear that by the control relationship we do not mean one of domination, but one of *assurance* concerning the actions of the other party in relation to one's own, an assurance which it is the object of political action to render one of favourable or neutral conduct. Permanent harmony, such as springs from complete benevolence, is the manifestation of a relationship in which there is complete and mutual assurance. It is a relation of joint control. Control need not necessarily be active and directive. It may take negative shape in adequate assurance against being controlled. The regulation of the criminal is less important than to give security to his victim. The history, again, of democracy is an interesting commentary on this theme. The desire of many men is genuinely for peace and cooperation, not for domination. The desireof others is to avoid responsibility.[1] Control for them entirely means a guaranteed protection against intolerable aggression.

In each case, however, the desire for control, sufficient to give assurance of security, exists. In each there is persistence, however reluctant, until the stimulus of this fear is alleviated. There is a measure of perseverance in action and something, however fitful, of the determination not to be deterred or deflected. The neurotic or imbecile condition of complete lack of will may, confidently and without sophistry, be allocated to the pathology of politics, and indeed to mental pathology. Social apathy is a quite different matter, often arising from the determined and vigorous refusal of the individual to be induced to take interest in matters which he fails to see have any close relation to his own well-being. It is perhaps a merit of our definition of politics that we can include in our study the social activities of the "privately minded" and clannish as well as of the "publicly minded" and civic-spirited, without regarding either as abnormal.

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[1] F. Wieser: *Das Gesetz der Macht*, 1926, p. 104: "Unter den zahlreichen oder zahllosen Mächten jedes Volkes lehnen sich die schwächeren gern an andere Mächte an, sie brauchen Schutz und finden diesen in einer Symbiose zumal mit den starken herrschenden Mächten, denen sie ihrerseits wieder Kräfte zubringen." See also Wyndham Lewis: *The Art of Being Ruled*, 1926.

The general political characteristic is then the desire to control. This desire, lying in the very nature of the executive will, is, as it were, the carrier for the secondary wishes for this or that. More specifically, other wishes set up this wish as their means to fulfilment and their minister. This wish for control, as above defined, is general and lies in our definition of politics. But we shall be entitled to take a further step. Our subject can be studied in its earlier stages to the best advantage if it is studied in its most pronounced form. We shall therefore feel ourselves entitled to ignore, for the moment and hypothetically, those cases where the divorce between wish and fulfilment is slight, where the social resistance to the realization of desire is small, where the amount of influence which has to be exercised over other human beings requires neither subtlety nor energy. And we shall for the present concentrate our attention on those cases where the resistance is more strenuous, the struggle longer, and the exercise of influence requires such efforts that an appreciable amount of thought has to be expended upon social ways and means—that is, upon the acquisition of control. We shall not be deceived into thinking that the interpretation of politics can be completed in terms of the Hobbesian or Nietzschean will-to-power. But we shall limit ourselves to characteristically political (that is, "control") phenomena, just as biologist and psychologist likewise give their attention to phenomena indubitably within the province of their science.

We shall allow ourselves the provisional licence of studying first the case where the problem of control is the outstanding problem and of making the hypothesis of an especial preoccupation with that problem.[1] The wish for *domination* is, of course, a specific case, to be clearly distinguished from the desire for *control*, and is to be studied with a view to ascertaining how far domination plays a part in political action. Certainly no such limitation must be permitted to enter into our definition and to beg the question.

Thanks to this hypothesis, by which we concentrate upon a certain aspect of experience, it already becomes possible for us to outline the rudiments of our science. The object of the will is the realization of desire (in general—that is, of wishes in particular). We may choose, if we like, to refer to "happiness", but the wishes, of which we desire the fulfilment, are multifarious and particular, and we may perhaps desire other things than happiness.[2] Certainly there seems to be no sound psychological reason for excluding, in the case of many people, the painful from that which is wished—a point about which the Hedonistic philosophy of Hobbes and of the eighteenth century went hopelessly wrong. The philosophy of desire is not our concern. The realization, however, of these wishes is dependent on the complaisance of our fellows. Hence the object of political action is the maximum of assurance. But this maximum of assurance involves a certain limitation over the actions, will, and wishes of others, to which, by the same argument, they are resistant.

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[1] M. Weber: *Wirtschaft und Gesellschaft* (*Grundriss d. Sozialökonomik*), p. 11: "Man hat eben methodisch sehr oft nur die Wahl zwischen unklaren oder Klaren, aber dann irrealen und 'idealtypischen' Termini. In diesem Fall aber sind die letzteren wissenschaftlich vorzuziehen". Cf. A. Comte: *Philosophie positive*, ed. Flammarion, IV, p. 264–5: "It fallait en détacher le principal phénomène par une judicieuse analyse. C'est surtout aux théories sociologiques que ce précepte logique est applicable".

[2] G. E. Moore: *Ethics*, pp. 246–7.

Hence, while every man seeks the maximum of assurance, he seeks the minimum of restraint on liberty. He wants protection and all that law and custom, conventions and institutions, can give him of assurance by stabilizing control. But he wants to pay for this a minimum in personal loss of liberty—such as all law in some measure implies both by its application and in order to maintain its execution. It does not, however, follow that the law which actually increases the assurance of one man will actually restrict the liberty of the same man; it merely potentially restricts him, did he desire that class of liberty. The establishment, however, of this control, by the passing of law and by its maintenance or by personal force and enterprise, requires an expenditure of time, energy, and trouble against resistant wills. Men, busy with other matters or indolent, naturally tend to expend the minimum of trouble on the establishment of control. The securities guaranteed to society have as great rarity value as economic goods. Indeed, the joy of establishing security is as rare as the joy in necessary manual labour, although the amassing of power, like the amassing of wealth, has its attractions. Hence the maximum of assurance is desired with the minimum of expenditure of political energy in assuring and guaranteeing control. It may be remarked in passing that many writers have commented upon the desire of most men to avoid responsibility, which is far more general than the desire to assume it, and have very properly made this a ground of criticism of the democratic system. But this objection to democracy has usually been put rather in the form of a political opinion than of an analysis in terms of fundamental political principles. An observation has been made, but no systematic explanation has been offered in terms of political laws, as it were, of labour and wages of labour, and still less in terms, not entirely fanciful, of the Government as the capitalist of politics.

These political laws should be themselves generalizations (but systematic generalizations) from the innumerable specific acts illustrating various methods in the political process. Our study of these laws will be a study of practical methods adopted in accordance with the fundamental principles of political barter, in which the supply of security depends upon the demand, in terms of the pressure for fulfilment of ungratified and baffled desires and upon the willingness to pay the price. The price is in terms of the restrictions of liberty by law, which is a market price general to the whole of a society, or by personal control, which is a condition of individual exchange and which was under, for example, the feudal system, the most conspicuous form of political exchange.

Laws—Physical, Human, and Social. But what, it may be asked, is to be our attitude towards these laws when we have laboriously explained social movements and structure in terms of them? It is customary to contrast natural laws, on the one hand, with the laws, on the other, which human legislators make. The contrast is the more obvious in an age when Acts passed over-night by legislatures are commonplace, although it is far less obvious to man at an earlier stage of development. By natural laws we understand *modi operandi* of nature, which are incapable of being broken, or more precisely the formulation by scientists into laws of these constants of the physical world. Such a phrase as "natural law" appears to be patently unscientific, since it seems to fail to make a distinction between that human law which requires enforcement and the physical laws which are incapable of breach. By the law of gravitation, if I walk over a precipice I shall find that I fall down it. The law of gravitation is not broken by my rash act nor are the laws of mechanics, which state how my legs, under certain conditions, will support me. But if I walk into a private garden I break the law of trespass and shall be prosecuted. And, if I escape, the law is effectually broken. This difference has not always been kept in mind by the theorists of natural law, who rationalized both the physical universe and the commands of princes.

Our criticism may, however, be too hasty. In an earlier age, legislators hesitated to do more than formulate custom; and Nature and man alike were supposed to follow a custom, appointed by the gods and inherently rational. By miracles and even by ruse, breaks were possible in the natural order, and, by arbitrary power and the wit of an offender against the sacred custom of the elders, they were possible in the human order. But one rational, and hence ethical, rule was conceived by the time of the Stoics to govern both. This doctrine is not one which can be dismissed with contempt. The natural laws of the physicists are not brute facts, they are rationalizations of the physical world, whether superimposed by man or justified because the world is inherently rational and orderly. In fact, the formulation of a natural law can be nullified when Nature herself, by providing us with fresh facts, shows our law to be arbitrary and compels us to recast it. Let us now turn to human law. It is not true—despite popular usage—that the criminal "breaks" the law when he does the forbidden act. He acts illegally, and this, we may say, is wrong. But the statute does not say: "Thou canst not"; it says, "Thou shalt not, or this punishment will be inflicted." As command it may be broken, but as law, in a very real sense, it is only broken when the punishment is not inflicted, when, as it were, the man who has walked over the side of the cliff is not hurt. So far as human law is perfected and its sanctions executed, it excludes arbitrary miracle and ruse, and the penalties of defiance become sure. It approximates to physical law.

It is, however, one thing to say that perfect human law approximates to rightly formulated natural law. The sharp difference remains that it requires constant effort in the maintenance of a police force and the like to maintain human law, while the regularities of nature, although they may be wrongly apprehended, yet continue of themselves without human assistance. (This maintenance does, of course, depend upon the expenditure of physical energy in the play of forces.) And here we seem to come upon the weakness of human law, in which, however, it does no more than resemble those old natural laws of command which Jehovah is represented as giving, by his fiat, to the physical world. Nothing can be more a command than: "Let there be light." But while we have become accustomed to think in other moods than the imperative of laws in the physical world, in human law we still continue the old assumption and presume to give orders to human nature. The method succeeds when our legislators' orders accord with what was anyhow natural inclination, and, also, when we impose adequate penalties for their breach.

Here, however, we come up against precisely natural law, not statute-made, by which men seek to evade restraints. And all punishment is such a restraint on liberty which, by natural law, we pursue. When our human law is neither in accord with natural inclination nor effectively supported by the social effects of the pursuit of liberty on the part of others, involving the maintenance of authority, our statute remains paper. Sound law, then, involves a formulation of human tendencies or, in brief, is a copy of the "natural" law to be "found" by political science. Sound law is in this sense emphatically found and not made.[1] It is a copy of natural social law, but with a difference, just as the specifications of an engineer completely accord with the laws of mechanics if they are to be of the least use, but are yet much more than a treatise on mechanics. The engineer studies in order to use and change. And in so far as law expresses the prevalence of the will of certain sections of society against others, such as the criminal members of the community, it has this purposive and engineering nature. It enunciates the reasonable rules of social life. It goes beyond laying down those rules which are for the self-evident interest of all, which are the primary social laws. It further commands rules which are for the most convenient playing of the game for some, perhaps the majority, but are not self-evident to others. It does this rightly, for not everyone is intelligent enough to appreciate the intricacies of a plan for the general interest, and in some cases the interest of the individual is not that of society. *But just in so far as our legal system becomes one which can be recommended to the intelligence of every man as a solution, in accordance with social laws, of the problem of reconciling the interest of each to the interest of all others, the secondary rules cease to assume the character of arbitrary commands and become mere deductions drawn from the primary social laws.*

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[1] R. Pound: *The Spirit of the Common Law*, 1921: "And yet the juristic thought of that time was not wholly in vain. It may teach us that there are inherent limitations on what may be achieved through law and inherent limitations upon the efficacy of effort in conscious law-making; that for the greatest part law must always be found through application of reason to causes as they arise and the testing of principles in their actual operation" (p. 165). "Study of fundamental problems . . . is the road to socialization of the law" (p. 192). "Let us think of the problem of the end of law in terms of a great task or great series of tasks of social engineering. Let us say that the change consists in thinking, not of an abstract harmonizing of human wills, but of a concrete securing or realizing of human interests . . . we are seeking to secure as much of human claims and desires . . . as possible with the least sacrifice of interests" (pp. 195–6).

CHAPTER III

THE LAWS OF POLITICS: ATTEMPTS AT FORMULATION

Law and Generalization. That the field of political history and observation is capable of being gathered up into a science is a bold claim which is too often advanced frivolously, and as frequently dismissed for superficial reasons. Such phrases as a "political law" or "a fundamental political principle" are common enough, but it is usual to explain that these high-sounding words imply no more than that their user believes that he has been able to make certain empirical generalizations, of which the spectacular form often compensates for the modesty of their attainments in precision. They are, on the whole, true of the past; it is hinted prophetically that they may be true of the future. But they have scarcely been taken *au pied de la lettre,* or, indeed, very seriously. A law, however, is more than a generalization. It is a generalization so well according with the rest of our grounded and systematic knowledge, e.g. the deductions which may be made from mathematical axioms or from the law of gravitation, that we prefer to seek for a secondary law, when confronted with recalcitrant phenomena, rather than to abandon our original formula. Every law is a generalization, but a generalization is other than a law in this respect that the generalization is merely a statement of an observed uniformity, without any necessary conviction of its future validity. That the sun moves from the east to the west is a generalization which does not preclude the sun from standing still upon Gibeon. It happens to be a highly misleading generalization. But the principle "that the force of attraction of a mass varies inversely with the square of its distance," the formula of the rate of acceleration of falling bodies in units of time, and the principle of gravitation are laws, being founded upon observation confirmed by deductions from well-established facts, and systematically consonant with the rest of our experience. The law has, thanks to its coherence with the rest of our knowledge, a quality of certainty which makes it also govern the future, because it implies not only a generalization in terms of a specific group of facts observed in the past, but also an explanation in terms of other certainties. On the other hand, the 51 : 49 ratio of male to female births is only a generalization founded on well-known facts, at least of modern European civilization—a generalization for which we have at present no adequate biological explanation.

There is no serious disposition to deny the possibilities of making generalizations about political and economic conduct. What is lacking is a formulation so precise that it may be explained satisfactorily in terms of other certainties, and acquire their cogency and application to the future. The power of prediction is merely a specific instance of the quality of certainty which attaches to the law itself, which, as law, has *a priori* validity. But prediction enables the law (subject to the option of formulating secondary laws, or of rephrasing the primary law, to explain, e.g., why the eclipse is a second late, or to account for the curvature of light-rays) to be tested and again verified. The essence of a law is the formulation of an observed constant, even if a constant of ratio between two facts of variation, as a systematic certainty, with its attendant possibility of the control of that which is dependent on the law. Our task will then be to collect material, to arrange it systematically, to observe superficial uniformities, to seek, perhaps, from the methods and development of the allied social disciplines for the inspired hypothesis, to apply it to the field of politics, and to test it by renewed observation.[1]

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[1] But *vide supra*, p. 26 n. 1, on the possibility of interpretation of political phenomena on the basis of statistical generalization, although

Before, however, endeavouring to state more precisely what little is known of the laws of political science (if, indeed, any such laws can be said to be known at all), or to discuss the operations of these laws in terms of current practice, it is incumbent to review those laws which have already been claimed to exist and to have been enunciated by political thinkers. To speak about political "laws" is certainly no unheard-of thing, and many of these formulae aspire to be much more than empirical generalizations or rules of practice. Our first business is, then, to bring together enough illustrations of the attempts of pioneers to state political laws to leave the conviction that we are rather engaged in placing a further story on an existing structure than in speculating in building on a foundation which may be of sand.

In part the lack of public attention to these early attempts has been due to false methods which have been followed. Political science has been cursed by a plethora of analogies drawn from the mechanical, and still more from the biological, sciences, as well as by the tendency of ethical philosophers and of historians to regard the field as a spare-time annex to their own activities. Moreover, a philosophy of history, with its generous canvas and easily comprehensible perspectives, is something which is always likely to have vogue, not only with the readers of attractive literature on great topics, but with those who would reject a similarly vague and grandiose treatment of topics with which they themselves

this supplies merely probability as a warrant for prediction. Such sociological writers, indeed, as de Greef understand by "laws" chiefly statistical generalization upon the conditional relations of, e.g. illegitimacy, infanticide and poverty, suicide and age, sex and occupation, etc. It cannot be said that the sanguine hopes of the school of Quetelet have by any means been realized by these generalizations upon assumed constant relations. This is not to deny that invaluable work has been done by the statisticians by the review of the data in a manageable form, by the discovery of clues to social uniformities, and by stressing the importance of quantity and measure (cf. Merriam: *New Aspects of Politics*, 1925, p. 56; S. Rice: *The Quantitative Method in Politics*, 1928).

were thoroughly acquainted. Philosophical romances, however, such as that of Oswald Spengler, although they may stimulate the imagination and capture interest in the problems of human destiny, can only be regarded as following a thoroughly discredited method when they endeavour to lay down laws for the development or history of the human race, or of particular civilizations, or of nations at large.[1] These literary productions must be judged by the historians on their own merits. At least, beyond remarking their existence, they are of no further concern to political scientists, if it be accepted as one of the few things well demonstrated in this subject that there can be no such thing, technically speaking, as a "science of history" or "science of progress".

The work of careful thinkers in the field of political science deserves more painstaking attention. A complete summary and survey here of all "laws" which, with greater or less success, political theorists have endeavoured to formulate in the past would be at once tedious and, for our purpose, unnecessary. For the moment it will be sufficient if enough illustrations are provided to give some notion of the solid work which already exists as a foundation of our science, and to supply us with material on the basis of which to criticize the elements of that systematic treatment suggested in the last chapter.

Henry Sidgwick's Principles. The review can conveniently begin with the exceedingly cautious statements of Henry Sidgwick in his *Elements of Politics*, a book which definitely aspires to be a systematic treatise. Here Sidgwick expresses a measured belief in "sociological forecasts" of a negative nature, indicating what in practical politics cannot be done successfully; and hence his treatment approximates to that position which is fundamental to a political science that is based on the recurrent use of specific methods as means of avoiding recurrent social difficulties. He agrees that it is the task of the political scientist not to tell the statesman what he should do, but to tell him what he cannot do successfully. He agrees that we must make "certain general assumptions as to human motives and tendencies". Sidgwick, again, while limiting Politics to the study of government and governed societies—an uncritical phrase which tends to spell, not "control", but "the State" and "the Government"—rightly emphasizes that Politics, like Economics, concentrates attention on certain aspects of human life.[1] An ambiguity is, however, apparent in Sidgwick's thought. He appears to be under the mistaken impression that a perfected political science, because a science, would be able to make such predictions as that "in the course of one or two centuries all nations now civilized will have adopted some form of democracy". This impression seems to come from making the false premise that a law in natural science enables one to predict the historical—that is, the detailed and contentual—future, whereas, indeed, it only enables one to say that, *if* such a type of thing happens, *then* such another type of thing will happen. For prognostications about the future of democracy one must turn to constitutional historians, such as Lord Bryce, not to political science.

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[1] I have endeavoured to discuss this school in more detail in an article on "Historical Mysticism and Political Science", *Nineteenth Century*, August 1927. Cf. R. G. Collingwood's article on "Historical Cycles" in *Antiquity*, September 1927.

While Sidgwick begins by an elaborate discussion of political methods, and rightly assigns to them negative value as indicating what in practice cannot be done, he fails to appreciate adequately the distinction between formal law and detailed prediction, cites as political laws general ethical principles, and, not surprisingly, ends by making almost no use of his ambitious preliminaries in the historical treatment which characterizes most of his book. Shocked at the pretentiousness of his own assumption about the task of political science, Sidgwick reacts so far as to state his formulations as assumptions, differentiates between the political field and the natural field in which alone "laws" apply, and hence (thus released from irksome restraints) permits himself to include mere generalizations, which are not even of a strictly political nature, among his political elements. Thus he includes, among what he cautiously calls "fundamental assumptions", Bentham's "proposition" that "the excess of happiness of the richer will not be so great as the excess of his wealth". This proposition, although acceptable as a proposition, cannot be called a law. Anyhow, it is rather a fundamental assumption of economics, or of ethics, than of politics. Hence Sidgwick's book, instead of being a systematic treatise of inductive and deductive politics, ends by being primarily a comparative study of institutions with some general observations thrown in by way of preface.

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[1] H. Sidgwick: *The Elements of Politics*, 1897, pp. 6 ff.

J. S. Mill's Law. Although Sidgwick most properly criticizes J. S. Mill's doctrine of a science of history, or general historical science of society,[1] the "fundamental assumption" quoted by Sidgwick from Mill, that "each is the only safe guardian of his own rights and interests", is far more precise and worthy of the title of law than anything elsewhere cited or propounded by Sidgwick himself.[2] Here we get a statement which, as it stands, is mere controversial generalization, but which admits of deduction from more elementary principles. If it be fundamental that "each man seeks the execution of his own will", then he can only regard his own interests as safeguarded by himself, or by a will under his control (which is not the guardianship relation), or by another will so far as it is in accord with his own.

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[1] H. Sidgwick: *The Elements of Politics*, 1897, p. 5; J. S. Mill: *Logic*, 1851, Vol. II, bk. vi, ch. 9, § iv; but cf. ch. 10, § v.

[2] J. S. Mill: *Representative Government* (Universal Library), p. 52.

But the guardian will execute his own will, including what may be his plan for the good of another, and we have no guarantee that it will be that of the ward.[1] So far as their experience, notion of the good, and interests are divergent, their wills may become divergent. Nor is there an objective standard of interests, so far as politics is concerned, other than the will of one or of many individuals. The guardian may administer the interests of his ward according to the majority will and general view of what is the ward's true interest. But, *qua* guardian, there is no security that he will do even this, nor is the majority will, as such, necessarily acceptable to the individual ward. I execute the majority will only when I am a member of the majority—or am under constraint to execute it, although it is contrary to what I hold to be my interest. The guardian is, then, neither necessarily administrator of the will and interest of the individual nor of society, nor is the will of actual political society necessarily my actual political interest as ward. Another is, then, not a safe guardian of my interests. Either, therefore, there is no safe guardian or I am that guardian.

Owing to the intellectual limitations of many people, it cannot be said that they are themselves safe, provident guardians of their own interests; Mill, in part, admits this when he limits his proposition to sane "adults". But although another (like a physician) may perhaps more wisely understand my own interest than I do, I can always safely be relied upon to act in accord with what I conceive to be my interest. Hence Mill's proposition can be restated more accurately: "Only each man himself can be relied upon to defend his rights and interests as he understands them, unless the other person is under his control." This holds universally, and follows from the more fundamental axioms: "each man wills to execute his own wishes", and its social corollary that, as there are other men also bent on executing their actual wishes, "no man other than one's self will necessarily execute one's will, unless his will is under control". So deduced the proposition is universal, granted the axiom, and is of the nature of a law. And Mill's law is obviously one of the utmost importance for democratic theory. As originally phrased, however, with its implication that every man is a wise guardian of his own interests, it is reminiscent of the eighteenth-century belief that man, freed from conventional shackles, is naturally a reasonable being. It is a mere political doctrine unsupported by systematic explanation and falsified by experience.

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[1] J. S. Mill: *Subjection of Women*, ed. 1924, p. 62: "Who doubts that there may be great goodness, and great happiness, and great affection, under the absolute government of a good man? Meanwhile, laws and institutions require to be adapted, not to good men, but to bad." Cf. Hobbes: *Leviathan*, ch. xv: "Seeing every man is presumed to do all things in order to his own benefit" (a statement correct if we read "all things in accordance with his own notions of what is good"), "no man is a fit arbitrator in his own cause, and if he were never so fit, yet, equity allowing to each party equal benefit, if one be admitted to be judge, the other is to be admitted also." The superficially unnecessary and immoral contest of Papacy and Empire can readily be seen to have been natural enough to the extent to which neither, despite talk of harmony of interests, was prepared to accept the practical guardianship of the other.

Spencer's First Law. From J. S. Mill let us turn to the rather prolific attempts of Herbert Spencer to establish social laws. Here at once the endeavour to formulate laws is more serious, while the weakness of taking over crudely the laws of other sciences and applying them by analogy to Politics is apparent. That "motion follows the line of least resistance" is an obvious instance in point. Spencer himself applies this law of physics to lines of migration, congregation round centres of food supply, and other instances of a general nature which have little to do with the fundamental political act.[1] For this reason Spencer is always able to provide ample illustrations of his laws, because no kind of phenomena which can claim in any way to be "social" need be excluded as irrelevant; and the world is sufficiently large to provide evidence for any thesis if we are but permitted to select the evidence where we will.

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[1] H. Spencer: *First Principles*, ed. 1900, p. 225: "Thus the law that motion follows the line of greatest traction, or the line of least resistance, or the resultant of the two, is a necessary deduction from that primordial

Stripped, however, of an analogical terminology which is misleading, Spencer's statement seems to amount to little more than that men will not undergo more hardships when they are in a position to undergo less. This, as has been pointed out in an admirable summary[1] of social laws, is by no means a platitude unworthy of attention, and may even be a fallacy. "If men are squanderers of energy as well as economizers of energy, they will not follow lines of least resistance." This criticism, however, could be met if we were to phrase our law "men never take a more difficult course to the fulfilment of their desires, if they can take a readier one". This does not exclude the possibility that, as in geographical exploration and other adventures, to do the difficult thing or to squander energy may be precisely what we desire. Stated as above, Spencer's first law is an entirely sound formulation of everyday facts, and follows from the simple axioms of the execution of the will and of that resistance from the social world such as frequently compels a choice of method. To suppose that the more difficult method is intentionally followed, of two equally good in effect, involves the absurd proposition that the agent wills some things, i.e. obstacles, which are by definition contrary to his will.

Spencer's Law of Integration. Spencer's laws of integration and of differentiation also require examination. Ross, quoting the law of integration, which, as

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truth which transcends proof . . . and" (p. 227) "in all modifications of structure and activity in societies, the implied movements are of necessity determined in the manner above set forth" (Amer. ed., pp. 255, 258).

[1] E. A. Ross: *Foundations of Sociology*, 1905, ch. iii (quotations from ed. 1926).

he points out, Spencer illustrates by citing the results of division of labour, very properly associates with it Gumplowicz' assertion, based on military rather than industrial phenomena, that "every group strives to utilize all weaker groups within its reach".[1] The law, as stated, that societies pass from less coherence to more coherence is by no means uniformly borne out by experience, and the exceptions are sufficiently numerous to have led to many attempts to formulate on the basis of them a law of cycles or of degeneration.[2] Spencer has here clearly fallen into the pit of confusing an historical forecast of the future of civilization with a scientific law which from its very nature will be hypothetical and not historical. Once again science is being confounded by the error of historicism, of confusing "content" with "form". The history of classical Rome and of modern Russia is not one of transition to greater coherence, and there are many signs that modern civilization is passing into an epoch of increasing devolution, a movement marked enough to have stimulated a considerable literature. Far from dealing with a fundamental law, we are here concerned to analyse a formula covering highly complicated phenomena.

Gumplowicz' formulation gives us some hint of the method of deducing the correct generalization which lies at the back of Spencer's dictum. The group, just in so far as it acts as such, is a will-unit. We are here passing on to the stage where we are compelled to consider the

[1] H. Spencer: *op. cit.*, pp. 289–90: "In the social organism integrative changes are abundantly exemplified. . . . But it is not only in these external unions of groups with groups, and of the compound groups with one another, that the general law is exemplified. It is exemplified also in unions which take place internally, as the groups become better organized." L. Gumplowicz: *Der Rassenkampf*, 1883, p. 161: "Diese Formel lautet sehr einfach: Jedes mächtigere ethnische oder sociale Element strebt darnach das in seinem Machtbereiche befindliche oder dahin gelangende schwächere Element seinen Zwecken dienstbar zu machen." Also p. 235.

[2] But see Spencer: *op. cit.*, p. 261, where Spencer emphasizes the complementary nature and concurrence of dissolution and evolution.

more highly organic phenomena of group-wills.[1] And Gumplowicz' statement amounts to no more than that every group-will seeks to establish a control-relationship. The addition of the word "weaker" is not justified, and the assumption that the two groups are in a political relationship of concurrent or conflicting interests as distinct from mere geographical contiguity is not made explicit. Every group endeavours to establish for itself the advantageous position in the control-relationship. It is merely easier for the stronger group to succeed, and the only method possible whereby the weaker group may utilize the stronger may be parasitic.[2] Gumplowicz' law, as originally formulated, shows the bias of the "will-to-power" theory.

The control-relationship may, however, be established and agreed upon by convention, as it is in certain respects in a civil society, or it may have to be established on each occasion either by persuasion, prestige, or force. Where there is a constant direction of will or policy (group-will) in relation to given persons or groups of people, Spencers' first law, of economy of effort, enunciated above, involves that an established relation will be preferred to a transitory one. But such an established relation involves that the groups or individuals will act towards each other, under the convention, in a stable way. In brief, there will be coherence, in a new series of established relationships with its accompanying conveniences and security, with smaller loss of freedom than is involved in the burden of perpetual reconquests. As the society grows in numbers or reduces its enemies permanently to terms by conquest or fusion, the coherent group will extend quantitatively. The wills of the members of the society will tend to conventions, wherever these conventions are possible in accordance with these wills. And primary conventions render possible for the first time secondary conventions, such as presume a measure of order and cooperation already existent. Hence coherence increases also intensively. It matters not whether these are conventions about obedience to law and cooperation in government and civil life or are agreements for cooperation in industry. They facilitate in either case something which men will. Thus far Spencer's law of integration must be held to be substantiated in terms of more fundamental and less vague social principles.

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[1] The phrase "group-will" in no sense implies any notion of an entity apart from individuals who happen to react to given situations and to each other by certain conventionalized and assured courses of behaviour.

[2] F. Allport: *Social Psychology*, 1924, pp. 119, 154.

Spencer's formula, however, only looks to the cost and not to the price side. The cost of many conventions, beneficial in themselves, may be too heavy for all or for some elements in society which may have come to acquire bargaining power. Or it may become too heavy under changed conditions which determine what law can be made effective, or under conditions affecting the technique of its application, or under changed conditions of social need. The principle, then, although as yet imperfectly deduced, may be held in mind that control-relationships tend to other control-relationships, and hence to the conventional integration of society, where no disproportionate loss is incurred in the freedom of action of the will-units. In brief, society passes from a less coherent to a more coherent condition so long as the increase of control-conventions facilitates rather than impedes the execution of the will of the society's members, or of the dominant part.[1]

Spencer's Law of Differentiation. Spencer, however, formulates a complementary law of differentiation, which again is criticized by Ross as founded on selected evidence, and not upon a cross-section or fair random samples of experience. That "society passes from the homogeneous to the heterogeneous"[1] as a general proposition appears to be the exact opposite of the truth that modern inventions are making our social life daily more cosmopolitan and less rigid in structure. Again, we are confused by the dogmatic and general nature of the statement. The truth seems to be that as a society or group integrates by the formation of an elaborate system of relationships, consecrated by conventions giving individuality to that society, it becomes characteristically marked off from its neighbours, and the community in which it and its like develop becomes highly diversified socially.[2] At each stage of civilization, tribe, nation, world economy, a markedly characteristic culture, corresponding to a highly organic social system, emerges to form and consciousness, even to aggressive self-consciousness,[3] from one more chaotic and less individually characterized. At the moment, however, we are seeing the supplanting of a developed nation culture by the more primitive stages of a world-wide one. Hence the so-called law of differentiation and the formulation of the tendency of societies to crystallize in definite and distinguishing structures, in so far as they are valid, are only restatements of the law of integration rather than genuinely complementary formulae.

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[1] Cf. H. Sidgwick: *op. cit.*, p. 46: "The end of government is to promote liberty, so far as governmental coercion prevents worse coercion by private individuals."

The division of labour is an economic phenomenon which, as has been pointed out by Durkheim and his followers,[1] is quite other than the centrifugal agent implied by Spencer and is indeed a powerful agent for holding large societies together. Similarly, the growth of caste and class is a corollary of the conjunction, by some elementary control-relation, of a highly organic group, which remains one will-unit governed by its own conventions, with another subordinate society. Caste is, indeed, a social fact always tending to occur in the morphology of societies. The true complement to the law of social integration is, then, not Spencer's law of differentiation, but Mill's law of individual autonomy. From this it follows that, since only one's self can be relied upon to carry out one's will, unless the other will is under control, no man will voluntarily submit to the will of another or others, or to their conventions, unless that convention is in accordance with his own will, if any course be open which permits him to achieve his will at a smaller total cost.[2] And what is true of the individual is true of the resistance also of the group to integration. Reconciliation between the two forces making for social integration and for individual autonomy is achieved in terms of proportional cost. Thus light is thrown upon the question why men in fact do not resist despotism upon every occasion, and upon the sense in which it can quite truly be said that every despot who continues to rule yet depends for his rule upon public opinion. The rule of a despot represents, while it lasts, the best transaction possible on a bad market. And the fact of despotism does not upset the contention, for example, that all sovereign power is such by popular consent.[1] The nature of this passive and often unintelligent and mistaken assent we shall have occasion to discuss later. For the moment it is sufficient to point out that the law of individual autonomy is the formulation of the principle of minimum price, just as the law of "coherence". "integration", or "multiplication of conventions" is the formulation of the consequences which flow from the demand for maximum value through social agencies. The two are complementary.

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[1] H. Spencer: *op. cit.*, p. 314: "On passing from Humanity under its individual form to Humanity as socially embodied, we find the general law still more variously exemplified. The change from the homogeneous to the heterogeneous is displayed equally in the progress of civilization as a whole, and in the progress of every tribe or nation; and it is still going on with increasing rapidity."

[2] "We socialize in order that we may individuate; we cease fighting with bullets in order to fight with ideas" (J. A. Hobson: *Imperialism*, p. 200). The same idea is expressed by Coleridge, following Schelling: "This" (general form of life) "I have stated to be the tendency to individuation; and the degrees or intensities of life to consist in the progressive realization of this tendency." The same rule holds for the group as for the physical individual.

[3] Clark Wissler: *Man and Culture*, 1923, pp. 238–9, 272.

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[1] For bibliography, see C. Bouglé: *Qu'est ce que la Sociologie?* 1910, p. 98.

[2] Gumplowicz: *op. cit.*, p. 217. Also, "Niemand freiwillig sich in das Joch des andern spannt; dass niemand freiwillig die drückenden und niedern Arbeiten auf sich nimmt, um dem andern Bequemlichkeit, ja oft geradezu Möglichkeit des Müssiganges zu verschaffen. Wäre dieser erste Schritt auf der Bahn des Fortschrittes und der Cultur von der Opferwilligkeit der Einen für die Andern, etwa vom Comte'schen 'Altruismus' abhängig: er würde nie gemacht worden sein" (p. 235).

Spencer's Law of Equilibration. Spencer's law of equilibration, that "social evolution tends towards a more perfect equilibrium", seems to be better justified than critics have admitted.[2] That a balance tends to be struck between the "supply of government", or the restriction of liberty by law, and the demand for it in the interest of security for the accomplishment of our purposes—and this most completely where a society is most highly integrated into one group in which all are satisfied alike with their conventions and with their liberties--follows from what has previously been said. This does not, of course, mean that an hypothetical law lays down that such a balance is or will be struck, or that we can look forward to ages without violent political oscillations, any more than for ages in which there is no business cycle. This is mere Utopianism. Not only every domineering personality, but every new invention so far disturbs conditions that the balance, after violent changes, has to be recovered again in terms of the new factors. History does not tell us of a static world, but of a changing world in which the factors between which the political balance has to be struck never remain constant, and in which the entry of each new factor involves, not a mechanical addition, but an organic multiplication of every factor by the influence of the new one. There remains, however, although offset by stimuli to change in civilization and culture, this tendency to equilibrium and an inert political market.

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[1] Cf. *infra*, p. 254.

[2] Cf. Spencer: *op. cit.*, pp. 469–71: "One other kind of social equilibration has still to be considered—that which results in the establishment of governmental institutions, and which becomes complete as these institutions fall into harmony with the desires of the people. . . . Like other opposing forces those exerted by citizens on one another produce alternating movements which, at first extreme, undergo gradual diminution on the way to ultimate equilibrium. . . . Each primitive nation exhibits wide oscillations between an extreme in which the subjects are under rigid restraint, and an extreme in which the restraint fails to prevent rebellion and disintegration. . . . And the limit to social complexity can be reached only with the establishment of the equilibrium, just described, between social and individual forces."

In connection with the principle which here appears of a ratio or balance of advantage, Professor Giddings' law of social development can be cited.[1] "As appeared in the illustration of the moving equilibrium, society, as an aggregate that is simultaneously losing and absorbing motion, experiences an incessant rearrangement of its parts. . . . The limitations of progress, then, are these: First, there can be no social progress, and therefore no development of personality, except at the price of an absolute, but not necessarily relative, increase of suffering. Second, if the increase of social activity, which is one phase of progress, becomes disproportionate to the constructive reorganization of social relationships, which is the complementary phase, the increase of suffering will become degeneration." The cogency of this statement will become apparent at a later stage of our investigation, although the use of such words as "suffering", "motion", and "degeneration" bring in subjective concepts, and concepts from the physical and biological sciences, which appear to be undesirable in a strictly political discussion. It is, of course, probably true that speedy change will cause suffering, since it may exceed in pace the power of adjustment of many individuals; the old saw holds true about omelettes and the breaking of eggs. Rapid change tends to involve bad adjustment. It is also, however, true that no little of that opposition to change, which increases as the pace of change increases, is due to the mere mental indolence and nervous debility which finds it irksome and resents the need for keeping to the pace of the times. Whatever potentialities of friction existed in the social mechanism become apparent, as weak parts, in overt discontent. In this is largely to be found the explanation of much of the resentment which exists against the so-called Americanization of civilization. It is, however, always unfortunate when a sociological principle is immediately used for a party purpose, as when Professor Giddings proceeds to denounce the "fallacy of a cardinal socialist notion".[1] There is the less ground for this since it does not follow from the above rule of compensated change that "at all times a portion of mankind must be relatively useless to the community and, for that reason, relatively poor". Indeed, change in history has usually involved the displacement from power of those who held rule and wealth under an earlier régime, and who remain wealthy, but not powerful under the new régime.

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[1] F. Giddings: *Studies in the Theory of Human Society*, 1922, pp. 231–2.

Further Contributions of Ross and Giddings. Our purpose at the moment is only to illustrate the thesis that systematic political laws are possible by a critique of such laws as have already been formulated. Instances of such formulations can be picked at hazard from the works of American and German political scientists and sociologists. Thus Professor Ross[2] has formulated the law that "Social order is stable in proportion as the power of each to resist exceeds his power to aggress, and his will to resist exceeds his will to aggress". The latter clause is perhaps no more than a statement that there will be no disorder where no one is bent upon it. It does not inform us of the conditions under which wills are not set for disorder. "Power", however, is something more subject to social regulation. In the first clause of Ross's formula there is a certain ambiguity, notorious enough in political history, concerning what constitutes aggression and what defence or resistance. We here seem to be dealing with subjective terms. Nor, indeed, is the condition of social order often fulfilled that *each* has less desire for aggression than for resistance. A social order is also stable when a large and determined majority is enlisted in its defence, even if some have a propensity for aggression. It may even be disputable whether the strong desire for stability of a two-thirds majority is not better than the weak desire of a three-quarters majority: intensity of determination must be taken into account in determining "the stronger part", or preponderant factor, in the community. This Wieser develops into an attempted "law of the smaller number", which must be reserved for later criticism.[1] But the law appears to be sound if we say that social order is stable to the degree to which the wills enlisted on behalf of the social convention are stronger than those enlisted to disturb its balance. This law is, indeed, rather a statement of the nature of what we will call social order—namely, a condition where those wills which are in combination in a given social area of relations outweigh those which are not in combination. It serves to give point to Marsiglio's famous rider that legislation is "by the people or by the *valentior pars*".[2] When the *valentior*

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[1] F. Giddings: *Studies in the Theory of Human Society*, 1922, p. 243.

[2] Ross: *Foundations of Sociology*, 1905, p. 67. The whole of ch. iii merits attention.

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[1] Wieser: *Das Gesetz der Macht*, pp. 224 ff. Cf. *infra*, p. 266.

[2] Marsiglio: *Defensor Pacis*, I, ch. 12: "legislatorem seu causam legis effectivam primam et propiam esse populum seu civium universitatem, aut eius valentiorem partem, per suam electionem seu voluntatem in generali civium congregatione per sermonem expressam, praecipientem", etc.

pars is on the defensive, on the side of the system of conventions, then this system or order is stable, *pro tanto*. This superior strength may arise from the determined approval of some or from the tempered approval of all; so far as there is disapproval there is a baulking of wills and a potential instability, since social order is not an absolute, fundamental, and self-supporting structure, but a relative balance in which every will counts.

Professor Giddings, in accordance with his doctrine of the sense of kind, declares that political forms will be coercive if society embraces marked diversities and inequalities in its membership, and can be liberal if between its members there is great mental and moral equality.[1] The use of the word "liberal" here is too reminiscent of the political science, or history, which is written from the point of view of a party programme to be entirely happy, while the stress on mental and moral resemblance by its vagueness of terminology does not make as clear as might be desired the truth of the law. This truth can better be discussed at a later stage, but here it will be sufficient to point out that if a society constitutes one group, the wills of its members may be considered to be in a condition of stable equilibrium, in accordance with Spencer's law of equilibration, and the group itself will be one of assured relations. If, however, the society is composed of several groups, classes, economic "interests", and the like, the relation between these will range all the way from the open domination of force, which is the most primitive form of that control-relationship,[2] to an organization so close and well-balanced as to make the society, e.g. State or nation, more emphatically one community than any constituent group. Giddings's statement does not then hold if we look to diversities of trade and distinctions of sex, on the one hand, or to mental resemblances of intellectual calibre on the other, or, for example, to mere resemblance in intensity of moral fanaticism. In the first case, diversity may lead to complementary union; in the last, similarity may lead to obstinate conflict. His statement, however, holds of dissimilarities of power, which involve (in accordance with the law of self-assertion and Mill's law) the risk of manifestations of dissimilarity of interest. The problem of reconciling admitted diversity of interest (such as is always potential where a society embraces inequalities of power and hence degrees of involuntary membership) with social unity can only be solved in terms of coercion. On the other hand, Giddings's statement holds of mutually interdependent or like-minded societies, in accordance with the law of integration. Interdependence grows as additional conventions become possible, and these conventions are merely formulations of that balance of wills which, as Ross has pointed out, arises where consent is at a maximum and aggressive coercion is at a minimum.

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[1] Giddings: *Inductive Sociology*, 1901, p. 228.

[2] Cooley: *Social Process*, 1918, pp. 246 f.

Hence we can pass to a law which the writer endeavoured, as a matter of observation and guesswork, but without attempt at deduction, to formulate a few years ago to the effect that "internal liberty varies indirectly with external pressure", or that "authority varies directly with external pressure".[1] The liberties of Great Britain and of America can obviously be cited in evidence, although suspicion attaches to the adducing of large masses of evidence in gross and the instance of Switzerland might be cited to the contrary. This law also is too complicated to be dealt with adequately at the present stage of our discussion. But its deduction is not difficult. No man will accept a greater restriction upon his liberty than is necessary in the total for the attainment of his purpose. In time of war or threat of war or other control from another State or social unit, the ability of one's own society to execute its will becomes less complete. If it is to reach a favourable settlement, all difficulties in the shape of obstructions to its will, other than the major, external one, must be removed. Hence, to be in a position to bargain for power with the outsider, it must conserve its credit as being strong internally, and thus drive a harder bargain with those who impede its group-will at home. The rate rises at which it will concede freedom of action, where inconvenient, or for any other purpose than that involved in national security, to those who, as citizens, demand its support. Authority is increased, and the licences of liberty are regarded with increased intolerance. In the case, indeed, of Switzerland, a weak confederate authority happens to be satisfactory since it is hopeless for Switzerland to rely upon a military organization of its society, instead of upon treaty guarantees. Such protection as it has must rather be grounded upon geographical features than upon a centralized governmental organization. When, however, in the fifteenth century, the Swiss were famous as soldiers, they were also famous for their military discipline.

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[1] Almost the same formulation was adopted by von Ranke ("the fortunes of domestic politics depend upon the pressure of foreign affairs") and by Professor Giddings (*Sociology*, 1911, p. 35): "That social pressure tends to increase when environmental pressure increases is a conclusion suggested by history and current observation." Cf. also G. Tarde: *Les Transformations du Pouvoir*, ch. iii.

It will be noted that, were there a free exchange, if the individual found the restriction upon his freedom irksome, he could withdraw from the social contract. Politics, however, is not actually conducted in a free market, and the right of emigration is restricted in law and fact, especially in times of national stress. Hence the individual is not in a position, on all occasions, to decline the protection of one State and freely to seek that of another. Thus the State can drive a hard bargain with the individual at the expense of his liberty without his being able to decline the offered commodity of security. The State is a monopolist. But, by Ross's formula, to the extent to which men are uninterested in defending a social institution, to that extent it is unstable. The State bargain may, in short, be so driven with a large number, approaching in force the *valentior pars* that this body will be compelled to organize into a separate interest-group or be impelled to secession—as the Czechs during the Great War—or to collective counter-bargaining against the rest. The Secessions of the Plebs are obvious instances of this last method. The bargain of the patricians was too hard to be compensated for by the advantages found in the integration of the whole society.

The secession of Bohemia during the late war raises interesting points, since the Habsburg rule cannot in this case be accused of having been exceptionally repressive. The explanation would seem to lie, not in the extortionate nature of the Austrian bargain, but in the weak position of the bargainer; the low competitive value of the goods which he had to offer (perhaps not so low in industrial prosperity as was at the time imagined), and, owing to common nationality with its facilities for conventional organization, the strong position of the group bargained with. Again, in eighteenth-century Poland, the Polish State could drive no hard bargain with its citizens under external pressure, because individualism and class feeling had weakened the believed advantages of cohesion, and foreign protection gave Polish rebels and intriguers, in effect, a free market in which to bargain with the Polish authority. The throwing of doubts on what is the constituted authority—"attacking the constitution"—arouses such strong feelings, and is denounced as being treason, precisely because here again, owing to weakening of the belief in the preponderant advantage of continued group life, the political market becomes free, and the State has to request rather than to demand assistance.

Professor Giddings formulates a further law that "a population that has but few interests, which, however, are harmoniously combined, will be conservative in its choices".[1] Here we are in a maze of difficulties owing to the theory of a sociology which would concentrate attention on laws of choice. This attempt has elsewhere been explained to be one which, if taken strictly as an endeavour to shape a law of subjective acts and thoughts, in the opinion of the writer will not, perhaps, prove as fruitful in results, despite the distinction of its exponents, as may more indirect methods.[2] It is, however, possible to understand what is meant by a people who have little variety of pleasures or interests, and who live a simple and unvarying life. Here well-established conventions are implied, from which it will result that the optional methods open for the execution of the individual will are limited. Break the conventions, by upsetting the balance of wills by new factors in social life and fresh movements of civilization, and we shall have increased freedom for the unconventional vagaries of the individual. To say that "only the population which has many varied and harmoniously combined interests will be consistently progressive in its choices"[1] is to make a statement of which the precise meaning is perhaps a little obscure. If it is meant that we have here a sketch of the best society, one can only say that this is a matter outside our province which must be left to ethical philosophers. But another interpretation is possible. The aim, it may be said, of the political impulse is the execution of the individual will. And with many individuals in a society this necessitates a balance of wills. In a society, however, of material change and of inventions, the environment is so little constant, the social factors are so fluctuating—since the pulse of life runs fastest in an intelligent and inventive society—that the balance will not long remain without the focus of gravity being shifted. The problem of conservatism is to maintain the balance, of radicalism to effect the required move. Giddings is here, then, if I understand him aright, endeavouring to formulate a law of the path of the centre of social balance. He does so in terms of coherence ("harmoniously combined interests") and of response to changed environment ("many and varied interests"). There is a double stimulus of needs: on the one hand, for "harmony" or security, and, on the other, for "variety" or liberty of action.

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[1] Giddings: *Principles of Sociology*, 1926, p. 411.

[2] Professor Giddings' method (which has been welcomed by Bosanquet as "teleological") emphasizes in sociology the subjective factor of choice (even of choice of better and worse, giving sociology both a normative and a practical function) as distinct from emphasizing study of the course chosen. In some respects, and with reservations, he is here followed by Professor Znaniecki in his *Laws of Social Psychology*. The kinship with the German school of Max Weber will be apparent and less certainly with that of Vierkandt. Concerning the subjective method, Durkheim stated, with exaggeration, what seems to be an important truth, when he wrote (*La Méthode sociologique*, p. 128): "par conséquent, toutes les fois qu'un phénomène social est directement expliqué par un phénomène psychique, on peut être assuré que l'explication est fausse". The same emphatically objective method as Durkheim commends has also been laid down by Clarke Wissler as cardinal in anthropology (*Man and Culture*, 1923, p. 251): "Anthropologists, in respect to culture, deal with objective phenomena, and the contempt which they show for conscious and rational interpretations of man's acts would do credit to the most radical behaviour psychologist."

Law of the Pendulum. Professor W. B. Munro has recently formulated what he terms a law of the pendulum, which is interesting as a corollary of that law of coherence which we have discussed above. Professor Munro has set forth the data upon which he bases his law with persuasiveness.[2] It remains to be seen whether we can find for this generalization any connection with a synthetic scheme depending upon political axioms. That the centre of gravity of social balance moves, and likewise the centre from which the swing takes place to right and left, Professor Munro recognizes as much as Professor Giddings. "The base of a mechanical pendulum —the point from which it swings—is fixed, but the base of the pendulum in politics is not. On the contrary, it continues in motion." But just as a repeated balance is struck which has the support of convention, and is the condition of security, so Professor Munro asserts there is swing from equilibrium first to left then to right. Our method of statement, however, will require modification. The swing of the point is from convention, conservatism, authority, to unconventionality and greater freedom: it is not from one kind of convention or balanced system to another. The top of the pendulum, on the other hand, is not hooked into a stable convention, but into history itself—into a series of succeeding civilizations—as the progressive adaptation of man to his environment and the equilibrated condition of the forces, newly readjusted, of liberty and security. The swing itself is from stability without motion to motion without stability. Each situation may be met with either way, and by all ways in between, before this situation is replaced by another framework of civilization within which parties may see-saw and the pendulum of public opinion may swing.

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[1] Giddings: *Principles of Sociology*, p. 411.

[2] W. B. Munro: "The Pendulum of Politics" (*The Invisible Government*, 1928, ch. iii).

Professor Munro is doing no more than state the political equivalent of the law of business cycles.[1] Undue relaxation of customs and weakened cooperation produces a demand for a condition of greater social reliability and of more conventional agreements. By the law of coherence, conventions accumulate, each benefiting some, but producing in due course restriction on others, until the balance of advantage from security for the execution of my will begins to be outweighed by the drawbacks of the restrictions which I must undergo in order to give security to others. A liberal or individualistic reaction sets in against these conventions and their executive agents. A demand is heard for less regulation, less orthodoxy, less government.

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[1] Stress upon this notion of fluctuation in politics, as itself a manifestation of permanent and normal political tendencies, is the more important since the classical economists are declared to have ignored such fluctuations in economics, misguided by a false doctrine of the "normal"—an error into which, as Professor Sabine has pointed out in reviewing my earlier book, a politics owing its clues to classical economics might easily fall. Professor Sabine (*Philosophical Review*, v, 1928) cites Wesley C. Mitchell (*Business Cycles*, 1927, pp. 3 f.) on this (gratuitous) error

The Laws of Balance. The complement of this law of the pendulum, or of compensation for overstress of authority or of liberty, lies in the more famous law of balance formulated by Tarde in his *Transformations du Pouvoir.*[1] To this law, which summarizes the tendency to normalization, and to renewed adjustment of supply of control to demand, in accordance with that necessity which drives men to conventions and society to coherence, we shall have occasion to recur frequently. It is worth remarking here, in connection with the work of Gabriel Tarde, that his doctrine of "The Repetition of Phenomena" is substantially the same[2] as the theory developed above (p. 68) of the repetition of methods. Tarde insists that "to say that every real science possesses its own peculiar domain of elementary, countless, and infinitely small repetitions, is equivalent to saying that every real science is based on its own special qualities". He also bases his social science on "the fundamental social couple . . . of two persons of either sex, one of whom exerts a mental influence upon the other". When, however, Tarde insists that the mental influence is one of

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of Adam Smith and Mill, and, in Professor Mitchell's judgment, of Marshall.

[1] G. Tarde: *Transformations du Pouvoir*, 1899.

[2] G. Tarde: *Social Laws*, ch. i.

demonstrator and imitator, and is primarily the relation of parent and child, he adds an unnecessarily difficult theory of instinctive imitation to the truth that social convention is built up by the repetition, by new will-units, of methods proven by experience. Although all political science rests on the detection that the social structure is not one organic unity only, like a tree, but also a conglomeration of imitated and repetitive acts, like cellules, the study cannot stop here or introduce the word "instinct". All its cunning must be devoted to inquiring why the act or method is imitated, what problem is solved by its imitation, and what acts and methods are, and what are not, imitated. We are here led far from the gregarious imitation of the herd,[1] or even from M. Tarde's imitation of couples, to the play of individual wills pushing, like lusty lictors, to find in society way and freedom for the realization of dictatorial desires.

In the course of this book we shall also have occasion to refer to laws which Ratzenhofer, Durkheim, and others have endeavoured to formulate. The present series of examples may be concluded by instances chosen from the work of one of the most recent of that psychological school of sociologists which believes that, not the objective act, but the subjective tendency in experience is the proper subject-matter for sociology or politics.[2]

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[1] W. Trotter: *Instincts of the Herd in Peace and War*, 1916; W. McDougall: *Social Psychology*, ch. xii.

[2] F. Znaniecki: *Laws of Social Psychology*, 1925: "Social psychologists . . . study chiefly . . . those very data which we have defined above, i.e. experiences which human individuals and collectivities have of other human beings taken individually or collectively, and acts directed by individuals and collectivities towards those human beings whom they experience with the purpose of modifying them, of provoking certain responses . . . social psychology ought to investigate all such data and none but such" (p. 58). "At the beginning of every social action we find an impulse to act in a certain way, a subjective motion to do something which gradually defines itself. . . . We may call this impulse, this motion, this subjective side of the act the social tendency" (p. 67). . . . "The

After excellent sections on "Psychological laws" and "Empirical Uniformities", Professor Znaniecki, of Posen, lays down certain laws of social psychology, of which the second is "if an individual (or group) sees a possibility of obtaining a series of more and more desirable results by breaking away from some stable line of conduct into a new line, he develops a desire for new experience".[1] This formula would be merely tautological if the desirable results of the first clause were the object of the desire of the second clause, while if the "desirable results" are results objectively desirable the formula is of questionable validity. *Deteriora sequor.* We seem, however, here to have a statement of the principle which we have already recognized, that, if conventions are the product of balanced wills and are created for the facilitation of those wills, the individual tends *ceteris paribus* to break away from that convention when it ceases to facilitate his will. When the breakaway, owing to major considerations of force or of outweighing social advantages, does not take place, friction is set up (emphasizing, in turn, the consciousness of divergence), which Znaniecki recognizes in his Fifth Law. "Social repression produces psychological revolt . . . the subject wishes to realize his purpose, but sees this wish opposed . . . even though the original action be discontinued, repression never leads to suppression".[2] These and such statements as (Law Six)

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conception of psychology as psychology of action seems at first glance similar to the one promoted by the behaviourist school. . . . The ordinary outside observer and the behaviourist miss that whole stage of the action which conditions and precedes what seems to them the purely objective process of stimulation, because they do not take the agent primarily as a subject to whom changes of the *milieu* are given, but as an object in whose apparent 'reactions' to the changes of other objects they are interested." The above definitions seem to mark out very clearly the distinction of Politics from social Psychology.

[1] F. Znaniecki: *Laws of Social Psychology*, 1925, p. 125.

[2] *Ibid.*, p. 160; and cf. the writer's "Doctrine of Power and Party Conflict" (*American Political Science*, November 1925). Dr. Znaniecki adds: "There is a conflict, indeed, not between two actions or tendencies of the

that "social sublimation produces psychological conformism",[1] we shall have occasion to examine later. Sufficient for the moment that they can be explained in terms of the system which we have hitherto adopted, and do not either vitiate it or compel us fundamentally to recast it. Thus the psychological law is formulated by Znaniecki that "whenever a person realizes that his present action conflicts with another action which he desires to perform, the present volition becomes inhibited and changes into emotion".[2] This can be politically restated thus: "Whenever the method required for the execution of one wish is treated as being inconsistent with the method required for the execution of another, the will to execute the one wish becomes latent desire. And the pressure to alter the situation which dictates the method will be the equivalent of the strength of the latent will." This restatement is, of course, here put forward without detailed defence. But it serves to illustrate how the subject dealt with by Professor Znaniecki in terms of the controversial study of social psychology can be stated and debated in terms of objective political science when strength of latent will (desire) might, in some cases, be quantitatively measured in terms of some such unit of expression of desire, whether for support or for censure, as the vote.

These laws have merely been adduced in illustration, and to convince the unprejudiced that the endeavour to lay down laws of politics is no novel and fantastic venture. The most daring laws, those of the governmental cycle, laws unfortunate because premature, were laid down over two millenia ago by Plato. Attempts at final generalizations have been made spasmodically ever since.

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same subject, but between the tendency of the subject and the attitude manifested by the interfering individual or group. It is a social, not a psychological conflict."

[1] F. Znaniecki: *Laws of Social Psychology*, 1925, p. 169. *Vide infra*, p. 287.

[2] *Ibid.*, p. 235.

The Practical Significance of the Work of Formulation. We are now brought to the question of what possible practical use laws of this kind can be even if formulated. Strictly we should be entitled to reply that this is indifferent to us. It has been the delight of mathematicians to enlarge, even somewhat fraudulently, upon the uselessness of the higher branches of their science, and upon the joy of solving problems unrelated to utility.

Waiving this reply, let us first point out the wholesale change of attitude involved by this treatment. Hitherto no small part of the literature of political science has been devoted to ventilating Conservative theories of the State and Liberal theories of the State. It is clear that this is a little like talking about the needs of the consumer as if the only sound view of them was that of the manufacturer, or again as if salesmanship must be studied and conducted purely in the interest of the buyer. On the contrary, as individuals we may be vigorous individualists, and yet for this very reason hold a theory of an efficient State which may be profoundly Conservative or Socialistic. The two positions may both be scientifically legitimate; the appropriate method may depend upon the relative situation. Theories of the good State we shall put along with theories of the just price as a matter for a separate excursus, and proceed to concern ourselves for the moment with methods of the actual market and with methods of control.

Setting on one side considerations of the ideal State, we shall also not concern ourselves much with the theology of the State. Political science has too long paraded about in the gorgeous uniform of State pomp; it is time that it wore the more humble khaki which utility and the hope of scientific results dictate. Discussions turning on the assumption of a mystical majesty in the State will have to be left for debate elsewhere, with regret, but firmly. In the same way, the modern economist can only allude in passing to the problem of whether the taking of interest is a sin, as the Canon Law maintained. The issue he must leave to the moral philosophers —as one of whom, however, at other times he may, with Adam Smith and like Mr. Tawney, enrol himself. Tremendous as is the debt of political theory to Hegel, we must here part radically with the Hegelian treatment if we have any hopes of achieving results which will give control over social phenomena—as distinct from the results attempted from of old by exhortation. This does not mean that the State is not to be treated with reverence, but that the student, instead of substituting reverence for analysis, must scientifically analyse the requirements for the authority of the State, including among these requirements the capacity for reverence or devotion.

An Illustration. But laws should have value apart from the attitude which enables them to be formulated. Let us then select Mill's law of individual autonomy, and examine in the light of it, not the women's demand for the franchise (which, as the attempt to break away from a system which placed one group under the guardianship of another, appears to be a direct demonstration of its operation), but the circumstances under which, during previous ages, tutelage had been maintained. We are here, it will be remembered, dealing, not with a "principle," whatever may have been the case in the mind of Mill himself, but with a law. But if a law can be successfully defied, as in this particular instance, during the six thousand years of recorded history, the practical statesman, it might well appear, need not take it too seriously. Closer consideration, however, will show that this impression rests upon a misconception. For these six thousand years the situation had not arisen in which the law could apply because, first owing to physical inferiority, then owing to religious prohibitions, and, lastly, owing to the economic dependence of women, they had been, as a group, under effective control. The problem for the statesman was whether civic disfranchisement was still a sound principle after the criminal law had removed the control of force, enlightened ideas had undermined the traditional religious doctrine of the subordination of women, industrial opportunities had removed the pressure of economic dependence, and the decrease of the infant death-rate had given them more time for pursuits in the world of affairs. The law that no man not under the constraint of major considerations will submit to guardianship of his will at the discretion of another, now for the first time comes into play. But, it may be asked, cannot the law be neutralized by the reasonable consideration that men are superior in civil competence to women? Not only many men, but many women are of this opinion. This argument rests, however, either upon the untrue assumption that men are still in a position of control, which enables them to enforce (even though it be by indirect and unconscious moral influence) their own opinion of their own competence, or upon the assumption that women themselves will recognize this superior competence of males, as they might of an efficient civil service. This, however, depends again either upon those under direction themselves exercising some kind of control over their directors, as the public does over civil servants, but which women do not exercise over men as such, or upon a preestablished harmony. The latter, however, cannot be assumed. The law that those who can have the power will take it, must therefore operate with the first general divergence of interests, as, for example, where women found that they were refused means for the more complete fulfilment of their economic ambitions by admission into the trades and professions.

Why, however, it may be asked, should this law operate among Northern peoples, while there is little evidence of its taking effect among Latin races? If the reply be found, as it must be, in religious and conventional sanctions, we have still to discover why these sanctions should not equally well apply, neutralizing the operation of the law, in any society. To this the effective answer is that a convention is not a passive fact which merely happens to be, but the product of active wills bent on its support. If an educational system be adopted which saps all energy of active support from the convention, this convention will not sustain itself, but will yield before the interests against which it was built as a social bulwark. And if it has lost the active support of an adequate part of society, the institutional system cannot hope, once discontent has arisen, to maintain itself by mere habit, thanks to an inherent reasonableness which cannot be relied upon to be apparent to those whose activities it restricts.

The discovery of political laws has this very simple practical effect—that we are enabled to form a grounded judgment on the practical strength or weakness of institutions and conventions. The political disfranchisement, for example, of women or their economic disabilities no longer appear as conventions taking institutional form in a regulated society, the strength of which conventions is to be judged solely by means of *a priori* reasoning, and by ethical principle and subjective assessments of value. It is a convention which will be strong in defiance of Mill's law, which is grounded on well-established social evidence and psychological principles, *just in so far* as the "if" of Mill's law is not fulfilled.[1] If women are not themselves under controls such as they cannot throw off without disproportionate loss, they will not tolerate the uncontrolled direction of others merely on abstract principle, or because the direction can be argued by individuals to be benevolent. Women were under effective control, physical, religious, and economic. If inventions, change of the world of industry, economic custom, education, legislation remove these controls, the conditions of Mill's law become fulfilled, and the consequences of the law are to be *pro tanto* anticipated. At present absence of an effective relation of control has been sufficient to give the demand of the women for political franchise greater strength than the resistance of men (and of women still swayed by earlier major considerations) to its concession. The former have the power to make life for the latter too uncomfortable for them to prolong resistance, and not uncomfortable enough for them to go to the trouble of thorough repression. With this additional gain of power, a movement for the legislative removal of some remaining economic restrictions follows. The question now becomes one of whether the control system in the organization of trade unions, which is chiefly directed by men, will be sufficiently strong to meet this demand which has been so far split by its very success that various demands for conditions of equitable competition are replacing a united demand for removal of guardianship. But here Mill's law again ceases to apply, since, in economic competition, men and women alike are generally under control by employers, fellow-workers, those who control business conditions, and the like; and a collective demand is confronted by much more than the empty claim, unsupported by power, of some to act as guardians of others for their good. It is confronted by specific economic interests. The history, then, of the movement for women's enfranchisement entirely bears out the validity of the political law based on Mill's principle. It would be interesting to apply the same principle to the relation between individuals and the tradition of society concerning the custom of indissoluble marriage, connected, as it is, with the institution of the family.

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[1] J. S. Mill: *Logic*, 1879, VI, p. 493: "General propositions" (in sociology) . . . "are grounded in some supposititious set of circumstances, and declare how some given cause would operate in these circumstances, supposing that no others were combined with these."

Summary. The working out of these laws must be left until we have more fully considered the nature of the social structure. But the denial of their possibility or utility can reasonably be affirmed to be rash, since it is equivalent to making the theoretical and gratuitous assertion that the facts of society neither admit of being reduced to system and order nor would there be any profit to our better understanding of society were we so to reduce them to orderly statement. Too much has already been achieved for such an assertion to be even plausible.[1]

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[1] This is not to deny the truth of the statement of Professor J. L. Myres about too much political science so-called: "political science as it has been practised hitherto, almost without exception, has interested the ethnologist rather as a confession-book of regional or national ideas and foibles than as an abstract presentation of man's place in society" (*The Social Sciences and Their Interrelations*, 1927, p. 60).

PART II

CHAPTER IV

LIBERTY AND AUTHORITY

First Principles. The science of Politics has two axioms: first, that each man desires to "have his own way" in life; secondly, that men cannot avoid living together. The first axiom has been developed into a philosophy by the school of Hobbes, by the Utilitarians, and by the German exponents of "the will-to-power". The second has been developed by the Aristotelians and by many recent sociologists and social psychologists.

This determination to have one's own way we may refer to as the "will to execute one's will" (or, more precisely, "wish"). Even Macaulay, in the very act of attacking the Utilitarian notion of a simplified human nature, which behaves in strict accord with the principle of self-interest as interpreted by the hedonists, himself admits as a truism that "men, if they can, will do as they choose". The determination persists so long as the individual continues to desire a way for the realization in action of this or that wish. And the wish, whatever it may be, good or bad, so long as it is considered as something to be translated into the world of action or of things, is characterized by this determination. This determination or formal will can be considered apart from any judgment of value on what is willed, and even apart from any knowledge of the content of what is willed. Here *sit pro ratione voluntas.* The actions of a free being, the intentions of a conscious one, are determined by his good pleasure. It is impossible to base a comprehensive theory of political conduct on the action only of men of good or of reasonable will. The common fact in all political action is the element of will, not the element of reason or of good-will.[1]

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[1] Contemporary recognition of this (although expressed in a fashion with which—as will appear—I cannot entirely agree) will be found in W. E.

It is necessary that, at the very portals of our study, we should distinguish the study of the actual will from the study of the "reasonable will" or the "true will". In a positive science we can only study that factor common to all men's actual desires, so far as they translate themselves into action—namely, the will to carry them out. The "true will" or, more accurately, "the true purpose" or "reasonable wish", is something to be inculcated by education. But Politics can take no account of a motive which, far from influencing behaviour, may be outside both the conscious and the unconscious mind of the agent himself.

The reason why so much ink has been expended on discussions of the "true will", "reasonable will", "general will"—in brief, on the cultivation of good wishes—is not far to seek. It has rightly been perceived that, if men *could* be got to entertain one social ideal, the problem of social harmony would be solved. And it is alluring, although possibly crude, to suppose that therefore men *should* entertain one social ideal, and hence that their best or true selves do will this ideal, and that in their more lucid and reasonable moments men perceive that all other motives, wishes, or purposes are a betrayal of their true selves and of their best interests. Hence discussion of good purposes or of the ideal society appears to have a high practical interest. We shall later discuss the rôle in politics of propaganda, and of the inculcation of a uniting ideal. Political science, however, cannot regard itself as an alternative approach with education to problems of State; it must regard education itself as one political method among many which it is its task to consider. The national ideal is the ideal of this or that nation. The ideal State is the ideal State according to this or that

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Hocking's *Man and the State*, 1926, p. 67: "Will must be first in social structure; and will is its own justification. The State, accordingly, is first of all *will*; and, as will, it is also force.".

group of philosophers or statesmen. The subject-matter of politics is a world of many ideals, many goods, many desires, of wills which are the vehicles of many different contents. The will, therefore, for Politics means the will as met with in the actual world—a will assumed to have a specific and distinctive content, although the specific nature of the content is a matter for history rather than for science, which is only concerned with the solution of the ensuing problem of the reconciliation of wills. Politics is indifferent to the particular purpose behind the individual will, although the whole practical value of political science is to enable the human race to treat with more conscious and rational purpose the problems of society. This it does by assisting the purposive individual or group to fulfil, thanks to a knowledge of general laws, what may happen to be its purpose.

The Axiom of the Individual Will. "The will" is to be taken as the political unit rather than "the individual", since, however abstractly the latter term may be used, it still refers back to a human being with a unique history and motley desires, and invites attention to the nature and quality of these. The objection holds still more forcibly against taking the "person" or "personality" as the elementary subject of our study. The individual is always this or that individual, and as such is a complex of reasons and instincts which, in this or that given combination, are without a like. But we need a political algebra which will exempt us from the discussion of particular cases and of individual qualities. The fact about individuals, which is relevant to the discussion of Politics, is not their musical tastes or the charm of their characters, but that they have wills, and may be counted on to endeavour to carry out what they may happen to will. Not what they will, but that they will is the significant consideration.

The formal will is, then, not a desire or a wish, it is the persistence of a desire as it seeks to translate itself into the complete action appropriate for the gratification of a wish. Or, put personally, it is the determination of an individual to make something imagined actual, to bring it from something conjectured to be likely to occur at some future time to something located in space. We distinguish will from "desire" (or "desirousness"), which is the attitude of the imagining of things lacking which can gratify, and from "wish", which is the particular content of the desire. "I feel a desire; I wish to enjoy this; it is my purpose to enjoy it; and I will to do so", is a phrase which expresses the mental condition.

We are not here concerned with the metaphysics of the will or with whether it be stimulated or purposive, a distinct organ or a function of the whole person. The term "formal will" is unobjectionable and begs no psychological issues. By "will" we precisely mean that determination of activity of the man or group, in either case acting as a unit, whereby a wish is, or strives to be, brought on the road to its satisfaction through objective behaviour. And we mean no more.[1] No teleological philosophy is necessarily implied or in fact intended. But the expenditure of personal energy is indicated. The "will-unit" is a single concrete instance of such a will. "Actual will" is expressed in behaviour; "desire" or "latent will" is an induction from behaviour.

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[1] *Vide supra*, p. 28. It may be well to take this opportunity to reiterate that the attempt to found Politics on the relation of wills in no way implies that only the rational elements of action will be emphasized. Will is something quite distinct from intelligent or even self-conscious wish, nor is it in accordance with general philosophical usage to identify "will" with "enlightened self-interest". The usage of Schopenhauer, it need scarcely be added, is precisely the contrary. That the successful adjustment of wills, whether by the enterprising individual or by authority, requires intelligence is true, but is quite another matter. The terminology here adopted seems to have advantages compared with that of Simmel ("Persistence of Social Groups", trans. A. Small, *American Journal of Sociology*, III, 1897–8): "We must hold unconditionally to the fact that there are only spiritual individuals. An all-penetrating vision would peremptorily resolve that appearance which seems to announce a new independent unity above the individuals into the reciprocity which plays between the individuals."

More important for our purpose than the content of the will, for which, in the endless variety of life, it would be hopeless to lay down rules, is the intensity of energy in the will and the vitality of the person willing. It may be objected that men differ as much in the strength of their will-power as in the content of what they will. The will of a conqueror, an industrial captain or a fanatic, is something of very different significance from the will of a degenerate or a sot. Nevertheless volition of some degree is always present. The field of volition is broader even than the field of consciousness, and at least no conscious being is devoid of will, however feeble. This will has always and everywhere the characteristic of determination to execute a wish. And no will, however feeble, is entirely negligible, fit to be treated by statesmen as beneath consideration, or unresentful in its reaction to constraints which, because unwilled by it, are oppressive. The history of revolutions teaches how the most impotent and miserable human beings will at last avenge themselves on too contemptuous masters, if they can but find leaders.

For the present we shall rest ourselves upon the psychological position that the will, once set upon the realization of a wish, may be baulked and become latent until it has effected a change of situation or adopted a better method, but never becomes zero. We shall assume, for the purposes of more elementary discussion, a will which is constant, inspired by a wish "x". We shall assume that wishes are not abandoned (for we know no reason why they should be and no expedient to insure that they will be). We shall assume that when desire meets opposition, only two courses are possible: either it is repressed or it finds a new method of expression by the process of trial and error in the social environment. Lack of vitality and vacillation we shall consider rather a question of psychological and physical pathology than of Politics, which treats men, as normal beings, in terms of active wills. Change of direction of will must be explained, so far as possible, in terms, not of whimsical desire, but of change of the factors or "considerations" in the environmental situation. Superior determination is to be detected in terms of the repetition (which may be capable of being plotted) of a given course of social action, although the physician may explain this determination biologically. We are, in Politics, not concerned to explain (in terms of hormones or what not), or to produce, the man of higher will-power, but to measure his will in the social and objective terms of consistent action and to investigate methods for the removal of those social obstacles to the play of the individual will which may impede the full development of human personality.

The determination to "have our way" is always present and is intimately connected with the phenomenon of life itself. No behaviour in animals is more obvious than this characteristic of action under stimulus or impulse. No words are more common in the mouths of young children under the direction of their elders than "I don't want to". Desire even appears to exist before formed wish; what "they don't want to" is often far less clear to the minds of children than the negative determination as a sheer vital reaction against control itself. The whole psycho-analytical doctrine of Adler [1] is built on the vigour of this impulse to self-assertion, and on the pathological consequences when it is baulked by individual restraint or by social authority. But it is unnecessary to go so far as to base Politics on "the root instinct of self-preservation". Politics is not Biology. There is a temptation, to which many political writers have yielded, to make the will synonymous with vital energy or a parallel manifestation to the love of life. The connection, indeed, between the rivalry of wills and the struggle for survival may be as close as some theorists maintain.[1] But the political arena and the natural are yet so markedly different that it would be a mistake to follow the Austrian school of Ratzenhofer and Gumplowicz by burdening our conception of will with any such identification. The Buddhist monk and the determined suicide do not lack will because they lack will to live. And whereas the defeated species in the animal world experiences physical extinction, the thwarted will in human society is but repressed to smoulder on in criminal resentment. One of the most important considerations in the political situation of civil society is the non-extinction, and, indeed, numerical increase, of the socially worsted classes. On the other hand, the contest for the means of desirable existence renders the most ambitious and most keenly competitive especially chary of any rash increase of family.

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[1] H. Adler: *Neurotic Constitution* (Eng. trans. 1917), a work to which I have elsewhere acknowledged my great indebtedness. Cf. H. J. Laski: *Socialism and Freedom* (Fabian Tract, 216), p. 10: The worker "must be freed from that baulked disposition which is to-day the real barrier against his effort". The very important remark of Pavlov on a "freedom-reflex" may be cited in this connection. "It is clear that the freedom reflex is one of the most important reflexes, or, if we use a more general term, reactions, of living beings. This reflex has even yet to find its final recognition. In James's writings it is not even enumerated among the special human 'in-

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stincts'. But it is clear that if the animal were not provided with a reflex of protest against boundaries set to its freedom, the smallest obstacle in its path would interfere with the proper fulfilment of its natural functions. Some animals, as we all know, have this freedom reflex to such a degree that, when placed in captivity, they refuse all food, sicken and die" (I.P. Pavlov: *Conditioned Reflexes*, 1927, trans. Anrip, p. 12). The reflex seems to be developed pre-natally in the resistance, desirable for coming to birth, of life to the constraint of the womb.

[1] G. Ratzenhofer: *Wesen und Zweck der Politik*, 1893, I: "die politische Persönlichkeit lebt überhaupt nicht wegen sich, sondern sie ist nur eine höhere Lebensäusserung des Kampfes um das Dasein der Einzelindividuen" (p. 61). . . . "Die Inhalt des Lebens jeder Persönlichkeit ist deren Streben nach Erhaltung" (p. 33). . . .

Obstruction and restraint will render this will to execute one's will peculiarly conscious. Obstruction is perhaps the genesis of all consciousness. At least, it is true that men will not act contrary to habit save when their imaginative or physical experience has been schooled by pain. This important dependence of change, progress, and reform, not on an anticipation of better things, but on the sharp sting of an environment, which is maladjusted to, and thrusts its splinters in upon, an outdated social convention and individual habit, is a reflection to which we must return later. It means that we cannot expect reform for the benefit of the minority in a world which is comfortable for the majority. It means that resentment is a valuable social asset and earnest of progress. It means that progress is the enemy of more progress, unless we understand by progress not more happiness, but (what Hegel meant by "freedom") the intellectual ability to master a civilization more complicated, more speedy, and full of more subtle problems.[1]

Great movements, nevertheless, where men rouse each other to excitement under the pressure of intolerable wrongs, may be quite devoid of a clear perception of the interests of those concerned. It is the vigour of the will rather than the clarity of the wish which is important. For the mass of men, and in the majority of cases, there is no conscious "making up of one's mind" which is due to the impact of a strongly determined will on the resistant social environment. The will of some unthinking peasant or ignorant slave may well appear insignificant until it is suddenly kindled to savage resolution by sparks from the flames of mass enthusiasm. This popular fervour, however, is an expression of will under the stimulus of opposition, not of the pursuit of future interest; it is consequential, not appetitive.[1] And, being blind, its results are often far other and more miserable than its hopes.

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[1] Compare and distinguish, "(Socialism) takes for granted, first, that all suffering ought to be prevented, which is not true" (H. Spencer: *The Man versus the State*, ed. 1910, p. 28), and the writings of opponents (for very different reasons) of "palliatives", such as Sorel, E. and C. Paul, etc.

"Will" is, then, to be distinguished from "interest". And it is to be preferred to it since, if the political process is not a mere manifestation of the love of life, no more is it an intellectual calculation of interest. "Interest" is too neutral a term, rather calling our attention to the object of desire in the imagination or to a wish rationally calculated than to the activity by which will is translated into the objective world on the road to its gratification. An imaginative appeal to the emotions may be more instantly effective in initiating political action than a direct appeal to self-interest. A man does not will the less because he is not willing his "true interests", or because he has not his own "interests" very clearly in mind at all, but has only his feelings aroused. The term "will" embraces both what is common to, and what is distinguishable from, the "instinct of self-preservation" and the calculation of "interest".[2] It is not necessary to take our stand with the school of intellectual individualists. A man's will to execute his will is more primitive than any instructed notion of the dictates of utility or of enlightened self-interest.

Finally, Politics is not primarily a study of "opinion" or of "attitude". Public opinion is not a simple, but, rather, a highly complex phenomenon. Individual opinion may ultimately be conducive to, but is not necessarily productive of, action. And action is of the very marrow of politics. An empty opinion, academically entertained, the opinion of the "mugwump" or of the "moderate", the opinion upon which a man is not prepared to act, does but obscure the man's political will—that is, his actual will at the crisis of action directed by all the considerations which have weight in the situation. What a man would like to see done is of no concern for the study of Politics, save in the imperative mood as declaring what he himself will put his powers into doing, or, at least, into supporting. A man so cautious, timid, and divided in mind that he wills more that which he wishes little, must be treated in politics as standing for what, when he has considered all the risks, he wills, not what he wishes. He will welcome change, but he is a reed that pierces the hand of the man who relies upon it to support him. That is the hard lesson which many a political enthusiast has failed to learn.

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[1] E. Durkheim: *De la Division du Travail social*, 1922, pp. 327–8: "De ce point de vue, la civilization apparaît donc, non comme un but qui meut les peuples par l'attrait qu'il exerce sur eux, non comme un bien, entrevu et désiré par avance, dont ils cherchent à s'assurer par tous les moyens la part la plus large possible, mais comme l'effet d'une cause, comme la résultante nécessaire d'un état donné. Ce n'est pas le pôle vers lequel s'oriente le développement historique et dont les hommes cherchent à se rapprocher pour être plus heureux ou meilleurs; car ni le bonheur, ni la moralité s'accroissent nécessairement avec l'intensité de la vie. Ils marchent parce qu'il faut marcher, et ce qui détermine la vitesse de cette marche c'est la pression plus ou moins forte qu'ils exercent les uns sur les autres, suivant qu'ils sont plus ou moins nombreux."

[2] Ratzenhofer: *Wesen und Zweck der Politik*, I, p. 84: "der Kampf für die Überzeugung erlischt, jener für das Interesse beginnt".

For Politics the will is an atom. The will of the individual—who is the final physical unit—is itself the final unit of analysis in Politics, if not in Psychology and Mental Pathology. But since we approach the will *ab extra* from observation of unitary determination, and not from any previous biographical knowledge of the willing agent, we can speak as appropriately of the will of a body corporate, where (*and only where*)[1] the actual conduct seems to justify it, as of the will of an individual. The laws of Politics, being laws of the formal will, hold equally well of the relations of States or Groups, so long as they do in fact act as persistent units, as of the relations of individuals. To speak thus of the group-will is to admit the actual individuality in conduct of groups and yet to avoid the error of treating group-wills as simple units and of building up a metaphysic of group personality.

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[1] I wish here again to affirm the dissociation of this position from that of the "group-mind" theorists. Corporate action, however, is a fact of behaviour demanding recognition—although a "compound act".

Individual or Group. It is one of the chief services of that erratic and once overrated genius, Herbert Spencer, to have pointed out the dangers of starting political studies from the compound social organizations as though these were elemental.[1] Men do not, indeed, live in some state of nature apart from their fellows, immortal souls and eternal individuals working out alone their own salvation, as according to the Protestant mythology, or in the perverted interdependence of a war of all against all, as according to the fantasy of Hobbes. To emphasize this, however, is not for a moment to obscure the truth that men, however much influenced by their society or their environment, believe their own acts of will, to assent or to dissent, to be free. This freedom may be a negative freedom from external control, but it is also clung to as a positive freedom, because it is, as the Stoics taught, the starting-point and *sine qua non* of all self-development. The autonomy of the will within, not some external state of nature which is but a mythological gloss upon it, is a fundamental presupposition of the political process.[2] And this presupposition is unshakable as touching the freedom of the formal will. That it is *my will* in the last resort which I will to carry out is a belief which rests, not on the metaphysics of the doctrine of "free will", but on the unity of individual consciousness.

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[1] H. Spencer: *Social Statics*, 1893, p. 14: "But futile as such a method" (the Utilitarian philosophy) "of research would have been, it would have been less futile than the attempt to find out the principles of public polity by an unguided examination of that intricate combination—society—considering that men as yet so imperfectly understand *man*—the instrument by which, and the material on which, laws are to act!" Cf. Bentham: *Introduction to Principles of Morals and Legislation*, ed. 1876, p. 3: "It is in vain to talk of the interest of the community without understanding what is the interest of the individual"; also J. S. Mill: *Logic*, 1879, Bk. VI, § vi, p. 465; Max Weber (when he defines his method in Sociology): *Wirtschaft und Gesellschaft*, p. 6: "Handeln im Sinn sinnhaft verständlicher Orientierung des eignen Verhaltens gibt es für uns stets nur als Verhalten von einer oder mehreren *einzelnen Personen*" (italics mine); and *supra*, p. 84.

[2] Cf. the ambiguity of Montesquieu's remark (*Esprit des Lois*, XI, vi): "Dans un État libre, tout homme qui est censé avoir une âme libre doit

The disastrous error to which the historical school of political theorists, exemplified by Savigny and Maine, with its stress on the temporal continuity of community life, may be held to have tended, is that of treating bodies of highly complex and refined structure as simple units. The same accusation may be made against the ethical school of the Hegelians, which found expression in English in the Cairds, Bradley, and Bosanquet, with its stress on unity of moral sentiment in the group. Hence Politics has been treated as the study of the relations of such recent social forms as States, and of the nature and growth of States, and not as a study of the relations of what alone are the ultimate units, the individuals.[1]

For certain purposes, however, e.g. foreign relations and questions of peace and war, it is useful to treat States, not individuals, as the agents, the relations of whose wills have to be considered. Hence we are brought to a study of the balance of power between States, which perpetually reappears whether nations are preparing for war or endeavouring to maintain effective guarantees of peace. But in the more elementary stages of the study

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être gouverné par lui-même." Cf. H. J. Laski: *Grammar of Politics*, p. 91: "Rights, in fact, are those conditions of social life without which no man can seek, in general, to be himself at his best. . . . Rights, therefore, are prior to the State in the sense that, recognized or no, they are that from which its validity derives."

[1] L. Gumplowicz (*Outlines of Sociology*, trans. Moore, 1899, p. 47) quotes Adolf Bastian's *Völkergedanke* with approval to the effect that "the conception of man as a social being is real; but the conception of him as an individual is abstract". It is indeed so abstract that we need not be afraid of encountering this metaphysical individual in objective behaviour. If we start our study with the *concrete* individual, we may be confident that he will contain in his conduct all the social implications which it will be the task of political science to unfold.

we cannot imitate Aristotle and hasten on from the mating of individuals to the production of the family and the formation of the village, and then devote our whole attention to the types of constitution and major organs of the civil community. The method, if not the execution, of Hobbes, is sounder, which bases Politics on certain dogmas concerning individual psychology.

Hobbes most properly begins his systematic treatment of Politics with a discussion of the psychology of man, and lays down that "the object of man's desire is not to enjoy once only, and for one instant of time, but to assure for ever the way of his future desire". His treatment is that of a strict individualist. Authority is built on acquisition by force or by institution, through the contract to which individuals are understood for their own advantage to assent. There is here nothing of the rather crude anthropological allusions and compromised Aristotelianism of Locke, but a systematic treatment which, from the side of the individual self-assertive will, is complete, but which for that very reason is one-sided as a treatment of the subject as whole. The same method of approach has been followed by Spinoza, by the Encyclopaedists and early Utilitarians, and (especially as touching group-individualism) by Treitschke, Ratzenhofer, Gumplowicz, and, in some noteworthy respects—paradoxically enough—by the Marxists. How far a man in fact is a creature of his society and times—helpless without his fellows, owing all he calls "himself" to heredity and environment, determined in all his action by forces in the real universe of which he is an infinitesimal part, and to be treated in a sound social legislation as such a determined statistical unit in a mass—is a consideration to which we shall have later to return. At the moment it is our concern to affirm, on the other hand, that every man, being alive, active, conscious, and full of desires, has the intention of realizing such as he can of those desires by the exercise of his powers. This intention he calls his right to freedom, and regards this will of his as that of a free agent and of an independent soul, confronting the world and challenging its title to authority. That the belief is a metaphysical falsehood and yet a psychological truth, that the man is a determined and predestined creature, but is yet free in imagination because necessarily ignorant of the fashion in which he is determined, we have endeavoured to explain elsewhere.[1]

The unit in the construction of the political structure must remain the active individual, assenting or dissenting, supporting or weakening that structure, centripetal or centrifugal to that system. The individual is autonomous if not uninfluenced. He is a member of the system freely, not by any contract or covenant, but in the measure to which he is loyal or disloyal to it in the direction of his energies—in the measure in which he "wills" this system. It is the more necessary for us to emphasize this since we shall later have occasion to approach very closely to the position of the social contract theorists, many of whom, however, it will be noted, were guilty both of teaching a doctrine of the irrevocability of assent once given and of building up a pseudo-historical mythology of the original contract. In brief, the unit for political treatment is the individual will formally considered.

The Axiom of Social Existence. Social relationship is a universal fact of human experience. Men cannot avoid living together. Even Robinson Crusoe owed what he was to the age in which he was born; even St. Anthony owed his thoughts to the civilization against which he revolted.

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[1] *Science and Method of Politics*, 1927, pp. 100 ff. The argument, however, that moral character rests on a belief in free will, in view of the history of Stoic, Augustinian, Calvinist, and Jansenist, seems to me ungrounded. A weak man who believes in determinism explains his faults by saying "it was predetermined"; if he believes in free will, he says "it was bad luck". A strong man who believes in free will says "I have determined"; and a strong man who believes in determinism says "the Lord God saith".

In society, as Rousseau said, man ceases to be a stupid brute and "first tastes the sweets of virtue".[1] Yet, like a brute, he remains, in the more primitive societies, a mere creature of the troop or tribe. It is civilization which makes man a conscious individual. But it is also in civilization that man discovers that, if he "is to exist at all, it must be as one of a number".[2] It is this truth which has been emphasized by the Hellenic School, both philosophical, from Plato to the successors of Hegel, and anthropological, from Aristotle to to-day.

Whether man be a political, i.e. social animal, *non solivagum genus*, as Cicero asserted, or the contrary, is a question for anthropological research.[3] Whether mankind began by going in troops or in families, some form of social organization, once the blood-kin and now civil society, is prior in time to the individual, and moulds his growing mind in accordance with traditional thought and conduct. Thanks to the circumstances of birth and nurture, this social relationship is as inevitable as the existence of the individual will itself. Equally with the formal will, this relationship is a fundamental fact of Politics.[4] And these two fundamental facts of Politics condition each other and breed consequences whence flows the entire science.

Sociality is a permanent attribute of human existence. The individual, an infant with a mind unfilled, but shaped by its ancestral inheritance, is born into society. "We see then", says Aristotle, "that the Polis is a natural institution, and also that it is prior to the individual." The criminal in the community, and the conqueror in his relations with outside communities, has in time to come to terms with the fact that the enemies he makes to-day, if they are permitted to survive, he will have to live with to-morrow. Only where, as in the Steppes and in aboriginal Australia, there is room for all the nomads to pass each other by on the other side, or where, as in the empire of Tchalka, opponent tribes can be physically exterminated, does the logic of the political situation fail to hold. And even here the intermittent over-population of the Steppes and the sway exercised over his subjects by Tchalka have political consequences of the normal kind. As a rule even the kinless man, the outcast, the eccentric, lives, not morose and solitary, in Cyclopean peace, but, as did the children of Ishmael, ever conscious of society, in precarious watchfulness.

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[1] J. J. Rousseau: *First Draft of the Contrat Social*: "nous n'aurions jamais goûté le plus délicieux sentiment de l'âme, qui est l'amour de la vertu", quoted in Vaughan: *Political Writings of J. J. Rousseau*, I, p. 449.

[2] J. G. Fichte: *Werke*, 1845, III, p. 35.

[3] As to pre-human society, the doctrine of the horde is under rather severe suspicion at the present moment, and it may well be that far from human society being founded on the "gregarious instinct", gregariousness is an acquired taste.

[4] Plato: *Protagoras*: "A polis, I said, arises as I conceive out of the needs of mankind; no one is self-sufficing, but all of us have many wants" (cf. *Republic*, Bk. II); H. Spencer: *Social Statics*, 1893, p. 35: "These, then, are necessities. They are not matters of opinion, but matters of fact. . . . The social state is a necessity"; also p. 45.

The prime proposition of Politics, that wills are in a necessary social relation, each dependent upon others for its successful execution, does not assume, from the fact of relation, that the related wills are identical in purpose or complementary in their interests. Nor need the word "interest" be taken in any narrow sense of gross self-seeking. There is no ground for assuming that human beings, in view of their limited experience, will not always have different tastes and entertain and maintain widely different and even conflicting ideals. Only in centuries which believed more than the present in what could be wrought by the syllogism proceeding from the unshakable premises of revelation was it possible to start from the assumption that all true ideals are reducible to one self-consistent system and all other so-called ideals are disprovable fallacies or witting rebellion against truth. Logic, when working with austere rigidity from inadequate premises in experience, becomes the mother of fanatical cruelty and the grandmother of insanity.

The assertion that the interest of each is the interest of all, and the consequent identification of the pure formal will of each, which is amoral, with the demand for complete self-realization in society, which is moral, tends to end in the Rousseauistic sophistries of the general will, which is always right,[1] and in the Hegelian subtleties of distinction between the rational self-interest and the false self-interest, which is revealed to be such, *post factum*, when what is rational makes itself plain in history.

Observation shows us an infinite diversity in the contents of wills, not only as to practical conduct, but also as to the ideals aimed at for one's self and for others. And hence it would seem to be fundamentally erroneous to suppose some preestablished harmony between the wills of men as touching what they will. Every group is indeed stabilized by a gregarious sentiment;[2] even such a highly self-conscious association as a business undertaking has the "tradition of the house", and an old firm relies on an *esprit de corps* among its members. Nevertheless community of interest is neither something given by nature nor discovered by rational reflection, but is achieved by effort.[3]

Power. Fear of further restraint on the will, imposed by adverse conditions as the penalty of disunion, and the hope of a yet freer exercise of *power* than has been hitherto enjoyed, are stimulant of this effort which builds up community life and its network of admittedly interdependent interests.[1] For "power" may be defined as that condition when the will remains able to express itself in such action as tends to the fulfilment of wish. It is distinct from impotent wish and is more than a formal determination of the will, which may remain latent and temporarily unexpressed in direct action.

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[1] J. J. Rousseau: *Du Contrat social*, II, iii: "Il s'ensuit de ce qui précède, que la volonté générale est toujours droite et tend toujours à l'utilité publique; mais il ne s'ensuit pas que les délibérations du peuple aient toujours la même rectitude" Cf. *ibid.* II, vi.

[2] W. McDougall: *Social Psychology*, ed. 1925, p. 71; *ibid.: The Group Mind*, 1929, p. 25 and pp. 241–2; Espinas: *Les Sociétés animales*, 1877; but cf. *supra*, p. 78 n. 1.

[3] I. Kant: *Perpetual Peace* (trans. M. Campbell Smith), *vide* p. 154 and *infra*, p. 238.

Harmony in the social relationship is the result of effort, in which each man seeks such an adjustment for himself with others as can be made without sacrifice of his own will to external constraint. Where there is no preestablished harmony, this is a matter of power.[2] Thus it is a second proposition of Politics that every man desires power. And this is true, even although it be but the power to avoid the assumption of responsibility, for the desire to have power as a safeguard must be distinguished from the rarer energy which wishes to exercise power.

"The history of the world is nothing else than the development of the idea of freedom", said Hegel. This freedom is, indeed, something much more valuable than that mere escape from fear and that undirected acquisition of power of which Hobbes spoke.[1] This freedom, however, in the sense of "the glorious liberty" of community, comes at the end of the political process and must not be assumed at the beginning. A social organization of genuine freedom and beauty, giving self-realization, is painfully constructed, by the rubbing of individual against individual, wit against wit, will against will, through (and not in contempt of) the political process. And this community of perfect freedom falls worthless to the ground if it is not founded on free consent and on the primitive freedom of doing that which it is my will to do according to my lights. The higher freedom presumes, then, the successful maintenance of the lower; it is a freedom for freemen. The history of the world is nothing else than the history of the more orderly, more complete, and more just gratification of the desire for power. And yet the process is one which seems to have rendered ineffective and puny the strength and barbaric power to have his way of the strong individual, whose power, and whose ability (and hence reasonable claim) to rule through power, is limited by that organized power which belongs to a community.[2]

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[1] H. J. Laski: *Grammar of Politics*, 1925, p. 20: "Our civilization is held together by fear rather than by good will"—a somewhat Hobbesian dictum which perhaps slightly exaggerates the truth that social organization is not founded on social sentiment alone, but becomes an organization thanks to an interlocking of means to the fulfilment of wishes and of securities (usually incomplete) against frustration.

[2] Power need not necessarily be considered as meeting with opposition: the guarantee, thanks to which I have power to pursue a given course, may be satisfactory to all parties. But when there is not this harmony, then power may be defined, as by Mr. Bertrand Russell, as "ability to cause people to act as we wish, when they would have acted otherwise but for the effects of our desires; it includes also ability to prevent people from acting against our wishes" (*Prospects of Industrial Civilization*, 1923, pp. 188–9). Cf. T. Hobbes: *Leviathan*, ch. x: "The 'power of a man', to take it universally, is his present means to obtain some future apparent good"; Spinoza: *Tractatus Politicus*, ch. ii, § 9: "Praeterea sequitur, unumquemque . . . eatenus sui iuris . . . absolute, quatenus ex suo ingenio vivere potest"; M. Weber: *Wirtschaft und Gesellschaft*, 1922, p. 28: "Macht bedeutet jede Chance, innerhalb einer sozialen Beziehung den eignen Willen auch gegen Widerstreben durchzusetzen, gleichviel worauf diese Chance beruht."

Man was born with a will of his own, and yet everywhere he is under obligations to society. How is he to accommodate his will-to-execute-his-will to the fact that he must live in society? To this problem of a *modus vivendi*, which arises directly from bringing into conjunction the two axioms of Politics, we must now turn, not in order to indulge an empty logic, but in order to obtain a clue to the principles underlying the conduct of self-willed men. ~~As Heraclitus said~~: “The major problem of human society is to combine that degree of liberty, without which law is tyranny, with that degree of law, without which liberty becomes licence.”

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[1] Cf. Hobbes: *Leviathan*, ch. xxi: "a freeman is he that, in those things which by his strength and wit he is able to do, is not hindered to do what he has a will to do". "Liberty and necessity are consistent": to this I agree. "Fear and liberty are consistent." To this I disagree, and Hobbes's instance of the shipwreck contains a fallacy: the man fears loss and this is not liberty but constraint; he is, however, free to choose whether he will lose his goods or risk the loss of his life.

[2] Spinoza: *Tractatus Politicus*, ch. ii, § 13: "et quo plures necessitudines sic iunxerint suas, eo omnes simul plus iuris habebunt".

Freedom and Authority. (*a*) *Freedom.* Freedom is not only a condition of absence of physical constraint.[1] “Stone walls do not a prison make.” The plantation slave is not in a physical prison. Neither is the employee, engaged by free contract, who lives in fear of summary dismissal. It is not necessary to carry this argument to the point where it loses force through over-refinement, as did the Stoic philosophers and Christian Fathers, who contended that he was especially a slave who followed his own pleasures and was in bondage to them. Bondage need not be physical to be felt and resented as constraint. But a real bondage, however pernicious, if voluntary, is not constraint.

Perfect freedom, again, may be found, as St. Paul says, in service. It may be found in “perfect obedience to perfect law”.[2] But if the law is not perfect (which, as touching the system of law, is always actually the case), the good man will not feel himself completely free. Or, in the more prosaic phraseology of Aristotle, the good man is only a whole-hearted citizen in a good State—a State which embraces his ideals in its ideals. And if, the law being good, the obedience is not voluntary or habitual, but calculating or grudging, the recalcitrant will is not free. There is only freedom when the objective law is one, through habit or choice, with the subjective wish, so that the private will runs concurrent with the public will expressed in the convention of law or custom. Here there is restraint, but no constraint nor the rebellion of the will against authority.

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[1] d'Holbach: *Politique naturelle*, 1773, II, p. 61: “Ainsi la Liberté est la faculté de faire pour son bonheur tout ce que permet la nature de l'homme en société. Cette definition sera propre à distinguer la vraie liberté de cette indépendance totale et chimérique qui ne fut jamais le partage de l'homme.”

[2] I. Kant: *Fundamental Principles of the Metaphysic of Morals* (ed. Rosenkranz), p. 79: “a free will and a will subject to moral laws are one and the same”; cf. *ibid.*, *Metaphysic of Morals*, p. 28.

Freedom is thus the sense of having unimpeded power to accomplish one's wish.[1] The customary distinction between liberty and licence is an ethical one, deriving from the attitude of the community to the action in question. It is not a distinction of substance, such as will help us in understanding that political liberty which men demand. The will is unimpeded whether because we are conscious that we work with law and social order and have at our service its facilities, or because we feel ourselves free from the action of the law and have independent strength to execute our will. The first attitude seems to be fundamental to the philosophy of Conservatism, the latter to that of Liberalism. Freedom is not absence of real limitation of power, but it is always absence of felt restraint upon the will.

Absence of real limitation is, indeed, a fictitious condition. For men live in society, and are at every moment potentially limited in many directions, and at intervals actually limited in some directions. They may, indeed, control their immediate society and fashion or turn to their own purpose its conventions, but only on the condition of adapting their methods to the society which they would use as an instrument.[2] Hence absence of constraint does not mean abstract independence; it means either that we have social order on our side, presenting itself to us as a means for the execution of our will, or that society happens actually to be indifferent or neutral to what we are doing and imposes no restraint at the moment. Freedom is less than absolute power to execute our will. The will, as the Stoics taught, is only autonomous in the realm of thought. When the wish is translated into action, it comes under the heteronomy of authority, since, although the individual will may use authority, it cannot avoid being limited by it.

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[1] W. von Humboldt: *Sphere and Duties of Government*, ed. 1854, trans. Coulthard: "Freedom is but the possibility of a various and indefinite activity."

[2] "Liberty, the greatest of all rights, is not unrestricted licence to act according to one's own will. Liberty is freedom from restraint under conditions essential to equal enjoyment of the same right by others" (Kentucky Board of Pharmacy *v.* Cassidy, 25 *Ky. Law Report* 102). The terms "ilcence" and "equal" are question-begging, and involve disputable moral criteria. There seems, however, a case for distinguishing between the general condition of "freedom" and the freedom permitted under a given system of law as "liberty". Freedom, however, as pointed out in the text, in its "pure form" is a mere abstraction; neither the brutes, the stars, nor the Almighty are free, and licence is a bondage to passion.

The will, to translate its wish into action, demands power. This power, as has been shown above, is in the actual situation never unlimited. The Autocrat of All the Russias is limited by the cooperation or obstruction of his bureaucracy. The terrorism of Tamerlane cannot preclude the check of a revolt. Desire, which is limited only by the imagination and which may be indulged in millennial dreams to be realized the day after to-morrow, has no such actual limits as has the power which circumscribes the operations of the will. In Politics it is most essential to distinguish the Utopianism, in accordance with which we may mould our wishes, from the idealism for which the area of what is desired always falls within the periphery of the actually possible. The possible in the abstract, things being other than they are, belongs to the realm of Poetry; only the possible-in-fact belongs to the realm of Politics. The possible-in-fact is conditioned by power, and power is conditioned by the actual political situation—that is, the social context of the proposed act.[1] Thanks to the system by which

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Treitschke is not without excuse in condemning the medieval notion which "muss die Freiheit vom Staate, nicht die Freiheit im Staate finden"—although the Schoolmen, of course, emphatically believed that liberty was to be found *in* the Church and not "los von Rom".

[1] G. Ratzenhofer: *Wesen und Zweck der Politik*, 1893, I, p. 17: "das individuelle Interesse zwingt den individuellen Willen, der socialen Not-

power is held, one can only get what the world can be made willing to give, and not what one may happen to want.

Freedom and Authority. (*b*) *Authority.* The consequences of the axiom of individual will when applied in social life we have seen in our discussion of the nature and limitations of liberty. It is now incumbent to consider the consequences of the axiom of necessary social relationships when applied in the light of the individualistic desire of each to execute his own will. In the simplest relation of one man to another, the freedom of will in relation to will is secured by the agreement with, or domination of, the one by the other. In the higher stages of social relationship, where many men are concerned to secure their liberty in a certain course of action or like courses of action, a convention is made.

Authority intervenes to set a limit to the excess of individual power. "We should then find", says Aristotle, "the just man, with full inclination, going the same way as the unjust through a desire of having more than others. This object every nature is made to pursue as good, but by law is forcibly led to an equality." In any actual situation there must be restraint. Some restraint may be willingly accepted with a view to the extension of power, just as the artist does not quarrel with the restraint imposed in handling the instrument of his craft. Nevertheless, could he find a less limiting instrument which was as effective, he would use it. The difference between restraint and constraint (which is resented, and against which the will struggles) is a contingent one of attitude and acceptance. Constraint is restraint regarded, not as inevitable owing to the nature of the case, but as merely imposed. The problem is to secure the maximum of power with the minimum of constraint.

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wendigkeit zu dienen". Cf. Aristotle: *Politics*, VII, ii: "One ingredient of freedom is the alternation of rule and subjection. The other is to live in accordance with our desire."

Power, however, without which the will is impotent and bond, may be assumed to be liable to challenge, and hence, so far as a man desires his freedom, will be consolidated, even when not challenged, until the individual sense of insecurity is removed. Similarly, men accumulate fortunes, partly for ostentation or adventure, or perhaps for the public service, but chiefly for the security of themselves and their house in their present standard of living. Since, however, more wishes now become practicable, the taste for wealth or for power grows. The latter is probably the more insidious taste.[1] As civilization becomes more sophisticated the taste for power, as much as that "unnatural" taste for wealth which Aristotle and Aquinas deplored, becomes more and more divorced from all expectation of actual exercise of it for the direct gratification of primary desires. Mere means become valuable as though they were ends. And a rivalry of means grows up irrespective of the obvious use of this power in assuring the original and simpler enjoyments. What disturbs men is not their absolute inferiority in power to execute their wills, but, by association, everything which bespeaks a relative inferiority.[2]

Nor is it easy to abandon at will the pursuit of power (any more than the pursuit of wealth) beyond the limits of its immediate utility, save in a social system which imposes general restrictions. To be disinterested, as to be of modest means, is satisfactory in a society where the plans and hopes of the individual are not threatened by enforced competition with others having more power and means. But, in a competitive world, self-defence and self-respect compel men as a precaution to accumulate ever more up to that limit beyond which the burden of the responsibilities of great wealth or power, as well as the difficulty of acquiring it, is greater than the burden of the fear of being at a disadvantage. Until this is reached, it remains true that there is, "as a general inclination of all mankind, a perpetual restless desire of power after power that ceaseth only with death . . ." and there shall be no contentment, but proceeding.[1] Thus from challenge arises rivalry and oligarchic display, and from fear envious proletarian restrictions.

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[1] B. Russell: *The Practice and Theory of Bolshevism* (1920), p. 136: "The Marxians never sufficiently recognize that love of power is quite as strong a motive, and quite as great a source of injustice, as love of money." In criticism of the popular doctrine of the economic interpretation of history, Russell adds (p. 159): "The problem of poverty is by no means insoluble within the existing system, except when account is taken of psychological factors and the uneven distribution of power."

[2] T. Veblen: *The Theory of the Leisure Class*, pp. 36–8.

Power and Control. Control is the first object for which the liberty-demanding will requires power in order to execute a wish.[2] If the will is to get its way it must overcome opposition or be sure that it will not meet it. And such security cannot be assumed in a social world of other wills and other wishes. Other wills, then, must be controlled, not necessarily by force and the domination of force, but by any means whatsoever—prestige, purchase, or promise—which renders their conduct calculable and capable of being prevented from conflicting with, if not induced to assist, our own. It is, however, a physical fact that one man cannot watch the day and night long, and not only in human societies, but in animal societies, the task of looking out against dangers for the young is one which the male shares with the female. The early family is held together by this need for cooperation in protection if the children are to survive. And, although a savage chieftain or an unusual man in a more limited field to-day may be able, thanks to natural gifts, to pursue an inflexible course through the crowd of other men, the most reliable security is found, not in a personal domination (which is usually limited both in its object and its duration), but in a collective control in which many are interested and for which many are prepared to assume responsibility.[1] Such a control, however, cannot be undefined and general as is the control of master over slaves, tyrant over subjects, or patriarch over his wives. It can only be effective in those directions in which the interest —that is, the execution of the will—of all can come to be recognized as demanding it. This common interest of all, on the basis of which energetic and concerted control is possible, is formulated as convention. And the man who breaks across this expression of the common element in the wills of many is an interloper, enemy, law-breaker, or immoral person.[2]

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[1] Hobbes: *Leviathan*, ch, ii.

[2] G. Tarde: *Les Transformations du Pouvoir*, p. 181: "La Politique, en somme, est cette partie de l'activité d'un peuple ou d'une fraction de peuple qui a pour objet propre et direct . . . la domination ou tout au moins l'affranchissement, la domination sur d'autres peuples ou d'autres fractions du même peuple, ou l'affranchissement d'une servitude imposée par d'autres peuples ou d'autres fractions du même peuple." (The objection to the use of the word "domination" has already been discussed.)

A Convention is, then, a basis of common action, not necessarily formulated, in the minds of those who support it, with intellectual clarity, but of an advantage sufficiently apparent to them to influence their actions. It involves an agreement among those who might disagree, as distinct from the affective attachment between a mother and young children or the physical attachment of the parts of a living sponge. There may even be, in times of great social stress and excitement, in accordance with the law of external pressure,[3] what may be described as a wave of agreement arising from common stimulation and from imitation. But there is no reason to regard a convention as an idea in a social mind possessing some mysterious unity and capable of independent cerebration, or yet as an expression of the will of such a social psyche.[1] These are unproven assumptions quite distinguishable from the conclusions which are to be drawn from commonplace social, psychological, and economic facts, and which we have already discussed in connection with the social structure and discuss later under the name of "mutualism". More, they are often due to misleading metaphors, and, because misleading, dangerous.

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[1] "La sureté et la liberté personnelle sont les seules choses qu'un être isolé ne puisse s'assurer par lui-même" says, in rather exaggerated fashion, Mirabeau the elder (*Sur l'éducation publique*).

[2] W. von Humboldt: *Sphere and Duty of Government* (trans. Coulthard, 1854), pp. 116–17: "and, hence, I would call security . . . the assurance of legal freedom".

[3] *Vide*, for a brilliant exposition, Trotter: *Herd Instinct in Peace and War*.

By a convention is, then, to be understood, not an expression of the social mind, but a social expression of men's minds—an attitude which has become, or tends to become, traditional, which is impressed on the young in their receptive years, which becomes an assumption of our society, which we tend to adopt without further criticism, and which brings disapproval upon us should we break away from it. Conventions become a matter of habit, just as much of our economic consumption, whether of dress or motor-cars, is "conventional". It will be observed that the bondage of these conventions remains even for the rebel. For every child of these conventions reacts to them and his mental life is determined by *them*—not by the conventions of another time or place—whether he reacts positively or negatively, favourably or unfavourably to them. The personality of every man is but one knot in the warp and woof of human experience. The rebel also is the child of his age.

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[1] One of the most emphatic recent assertions of the organic theory of society, after the style of Lilienfeld, Worms, and Schäffle, is to be found in Dendy: *Biological Foundations of Society*, 1924, pp. 58–9: "Human society is a living organism. . . . This is by no means mere metaphor." The criticism of this is, briefly, (*a*) that nobody has yet supplied us with the chemical analysis of the connective tissues of the social organism, (*b*) that many human beings belong to various social organisms, unless there is one sole social organism—humanity. Writers such as Dr. McDougall (*Group Mind*, 1920) have endeavoured to speak of a social consciousness while using the term to denote something less than a separate personality and implying less than the doctrine of society as an integral organism. "But it is easy to show from the history of the controversies that have raged round this problem that the use of the term social mind is exceedingly dangerous, or carries with it implications of far-reaching importance" (M. Ginsberg, *The Psychology of Society*, 1921, p. 48; cf. also F. Allport: *The Group Fallacy*, 1927, Sociological Press)—implications not generally, at the present time, accepted. It seems questionable whether doctrines of "national character", as distinct from the admission of traditional methods of conducting the business of life and of the State local to various countries, are not obnoxious to the same objection.

Although these conventions, as traditions, become detached from the conscious interests and purposes of the individuals of contemporary society, and, indeed, rather implant, than are the fruit of, our views of those interests, there is no reason for assuming that the conventions are the will of any super-mind existent in society or are revelations of an absolute good made by some demi-god legislator, unrelated to human need, or are any thing other than the fruit of what once was regarded as necessary for assuaging particular human needs. The Koran may be regarded as inspired Writ and infallible, but at one time it had to gain credence from believers. A portion of the happiness of the individuals of a generation may be sacrificed in obedience to the Moloch of a tradition, but the traditional convention somewhere in the past will be found to have had its roots in what were believed to be means to the fulfilment of human interests, in things wished and in things willed. The persistence of obedience to it implies that the divorce between the convention and the present interests is not even yet actively recognized. The convention commands, if not support, by which it is enforced, at least an assent, thanks to which it is not opposed.

Authority is power exercised in accordance with a convention, whether between two people, one of whom is under conventional obligation to the other, or over a group of people by those whose function is to enforce the convention of the group.[1] Authority, *as distinct from mere*

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[1] H. J. Laski: *Grammar of Politics*, 1925, pp. 242–3: "Authority, therefore, is a function of relations; and it derives its validity from the way in which these relations are organized. . . . Will that is made by activity as distinct from consent that is inferred from reception is the foundation upon which authority must be based."

power, implies a claim to recognition owing to the existence of the convention of wills by which the authority is set up, although, save by habit of acquiescence, this claim is only effective against those who benefit by the convention and whose interest it subserves. Conventions are for members authoritative because with these conventions their wills, thanks to a balance of advantage, concur, and on their wills the conventions are founded. For outsiders, conventions are a power which receives their acquiescence or which they obey by constraint. Those who happen to have the authority of this social order directed in a line with their own actual wills act under the protection of authority; those who are the executive agents of the wills coordinated in this social order, and those who, thanks to their position or personality, are able, by rallying support to themselves, to mould this special order to their will, are in positions of authority. In either case they will receive its support, and this is something more stable than, and distinguishable from, the accidental support of uncoordinated wills or the fortuitous possession of power.

Those supported by authority may be right or wrong by individual estimation, according to whether we find our will, or what we ourselves imagine ought to be our will, at one with them; but, right or wrong, they represent in their public action the system of order actually constituted, and in submission to this system are to be found the satisfactions and values of peace and the conditions of civilization.[1] The order resulting from this concurrence of wills gives freedom to those who do concur, and constitutes a resistant and overpowering system against those who are recalcitrant.[1] The assertion by those who concur of their determination to support this system of conduct against the recalcitrant is the exercise of authority with the support of public opinion.[2]

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[1] "Now if it is true that resistance to arbitrary aggression is a condition of obeying only ourselves, it is more deeply true, when man is in any degree civilized, that, in order to obey yourself as you want to be, you must obey something very different from yourself as you are." . . . "But something in all of us, and much in some of us, is recalcitrant through rebellion, indolence, incompetence, or ignorance. And it is only on these elements that the public power operates as power, through compulsion or arbitrary suggestion. . . . We do not suggest . . . that the action of States is beyond moral criticism" (Bosanquet: *Philosophical*

The Social Contract Theory. The political theory of convention and authority, outlined above, sufficiently closely resembles the famous theory of the social contract (which we owe originally to Pope Pius II[3]) to require comment. If the resemblances are striking, the differences are important. The social contract theory has been criticized as being bad history, bad logic, and bad ethics, and has been generally superseded by organic philosophies of society. Any theory of social structure which appears to return to it may rightly be held vehemently suspect, until it has successfully defended itself against the charge.

Theory of the State, ed. 1920, pp. 133, 186, 305). The theory outlined in the text overcomes that crude opposition of the will of the others to one's own will, of which Bosanquet complains in the doctrines of the English individualists (*op. cit.*, p. 71), while allowing, in those actual States of which Bosanquet affirms that he writes (*op. cit.*, p. 231), for the genuine clash of wills on matters less important than such as would "demand immediate revolution", a clash which Bosanquet tends to minimize for reasons discussed *infra*, ch. viii.

[1] J. Bentham: *Anarchical Fallacies*, *Works*, II, p. 503: "But, as against the coercion applicable by individual to individual, no liberty can be given to one man but in proportion as it is taken from another." Cf. G. Ratzenhofer: *op. cit.*, I, p. 12: "es ist ein sociales Gesetz, dass die Vergesellschaftung nur auf Kosten der Individualität möglich ist."

[2] "The ridiculous idea of the State subordinate to Personal Rights . . . only disappeared in Germany at the rise of the historical school of thinkers. It was realized that a treaty derives its binding force firstly from the State, and at any rate nobody would dare now to ground a right of resistance upon the old doctrine of a mutual contract, for the really scientific minds perceived its folly. . . . We must banish all thought of any absolute right of resistance" (H. v. Treitschke: *Politics*, Eng. trans., 1916, I, pp. 189–90). This is an extreme and unwarrantable doctrine. On the contrary, as pointed out in the text, the State is subordinate to consent—which is what the theorists of the Social Contract endeavoured to emphasize—but the consent of *some*, not *all*.

[3] The doctrine, in a fairly precise form, was anticipated by the Epicureans.

In a book which is not a history of political literature it is irrelevant to enter into a full discussion of how far the theorists of social contract ever thought of the contract as having taken place at any historical epoch. A study of these writers would seem to lead to the conclusion that, although not uninfluenced by churchly discussions of what Adam did and classical discussions of the Golden Age which once had been, they were never guilty of this *naïveté*.[1] The social contractualists probably intended no such pristine pact to be supposed literally to have been entered upon as that about which President Lowell makes merry—as, indeed, he himself recognizes.[2] But none of these were ignorant of the persuasive value of presenting a social theory projected onto the field of history, especially in a legalistic age, which tended to require, not a proof of utility, but a demonstration of precedent. The mythology of the social contract theory may be to modern eyes a disguise rather than an adornment, without the theory itself being false as an analysis of the contemporary basis of authority. And, in fact, the very Utilitarians, who assisted in destroying its argument, by their individualistic explanations maintained its principles.[1]

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[1] Hobbes: *Leviathan*, ch. xiii: "It may, peradventure, be thought that there never was such a time or condition of war as this. . . . But, *though there never had been any time* wherein particular men were in a condition of war one against another. . . ." Locke: *Second Treatise*, ch.vi: "Thus, though looking back as far as records give us any account of peopling the world, and the history of nations, we commonly find the government to be in one hand, *yet it destroys not* that which I affirm." Rousseau: *Du Contrat social*, ch. vi: "Je *suppose* les hommes parvenus a ce point", etc.; also *ibid.: Discours sur l'Inégalité*: a state of nature "qui n'a peut-être point existé"; Blackstone: *Commentaries*, I, ed. 1800, p. 125: "But *every man*, when he enters into society, gives up a part of his natural liberty", etc. It must, however, be pointed out that certain Governments have been founded on an explicit recognition of the *social* contract. Cf. the preamble to the Constitution of Massachusetts: "the body politic is formed by a voluntary association of individuals. It is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the general good"; also the Constitution of New Hampshire and the July Oration, 1831, of J. Q. Adams. The theory of *governmental* contract corresponds, of course, closely enough with the feudal facts as shown, e.g. in Magna Carta and in the Great Charter of Andreas II of Hungary, in the writings of Bracton and of Jean d'Ibelin, apart from the instance of the famous but controversial oath of Aragon ("We, who are as much worth as you, and have more power than you, choose you King upon these and these conditions, and there is one between you and us, who commands over you"—cited in *Vindiciae*, cf. Hallam: *State of Europe during the Middle Ages*, ed. 1855, p. 45, and Stubbs: *Lectures on Early English Mediaeval History*, ed. 1906, p. 331). Cf. *Vindiciae contra Tyrannos*, ed. 1925, p. 199.

[2] Lawrence A. Lowell: *Essays on Government*, 1890, p. 189; F. W. Maitland: *Collected Papers*, I, p. 296; cf. p. 150.

The Historical School, however, especially in the person of Sir Henry Maine,[2] attacked the social contract theory, not so much on the rather puerile ground that its arguments rested on bad history, as that its arguments rested on no history at all. It was the logical and rationalistic treatment of society, in contempt of tradition and of the findings of anthropology, that was objectionable to this school. A hundred modern writers have painfully pointed out that man is born, is the member of a family, is part of society, and has never been a free individual, like a Crusoe entering for the first time, under specific engagements and mutual undertakings, into a society from which he can withdraw.

All this is true. We have pointed it out with drastic emphasis when we endeavoured to show that man owes, not only his body and his hereditary traits to others, but even his very thoughts to the environment through which he moves on his determined path, a vortex of experiences inseparable from the universal continuum of Reality.[3] It is this doctrine which, stated in political and economic terms, we call "solidarism". Man does not, however, in the conduct of the affairs of life, think of himself in this way, but as a freely initiating agent. He may be unable, if outraged, to withdraw from a given society, such as his national State, even by emigration. But his resentment may be such at his inability to do so that he may cause more obstruction to the social order than if he were a free individual capable of withdrawal. His body cannot remove from the locality, but his individual will can secede from the convention. Although societies and their conventions vary, if he fears death and scruples to turn the key in the gates, he cannot quit human society in some form. But, as Epictetus most nobly taught, he yet retains, even in the midst of an impassioned mob, a free and autonomous will. It is for the psychologists to discuss how far this autonomy, when under strong mass suggestion, can be said to be real. For the politicist it is sufficient to note that men will become, not fugitive from society, but rebels against it, unless they are permitted to believe that they are acting freely in those things to which they attach most value. Restraint has no theoretical limit, but constraint can be imposed by no prudent statesman without a cautious calculation of his power to enforce it. The theorists of the seventeenth and eighteenth centuries were, then, quite right in founding the contract upon the possibility of a rebellious attitude of will in every man. It is not possible to quit society; but it is very possible to be anti-social and, still more, anti-national, anti-group, impious, unconventional.

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[1] J. Bentham: *Fragment on Government*, chs. xxxvi, *et seq*. But Bentham himself continues to cherish rags from the drapings of natural rights, the premise of the doctrine of original contract, when he enunciates his famous dictum, "Everybody to count for one, nobody for more than one." Cf. Jas. Mill: *On Government*, p. 5: "The union of a certain number of men to protect one number of men combine and delegate to a small number the power necessary for protecting them all. This is government."

[2] Sir H. Maine: *Popular Government*, 1885, pp. 154–9.

[3] R. M. MacIver: *The Modern State*, 1926, p. 445: "From this confusion the 'social contract' never escaped. Society, which is the very condition of human life, is made to depend on a rationalized and full-grown human

The social contract doctrine in substance, although not in name, still found a defender in Herbert Spencer, when he maintained that the field of law should not be

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will which itself is meaningless except for a remotely long process of social growth. Within this process the State has emerged as a 'will organization', controlling and instituting those forms of order which prove amenable to political law."

extended at the expense of the liberty of the individual, and that "the real issue is whether the lives of citizens are more interfered with than they were". "Dismissing all thought of any hypothetical agreement to cooperate heretofore made, we ask what would be the agreement into which citizens would now enter with practical unanimity."[1] Although Spencer safeguards himself by such words as "practical", "almost", "omitting criminals", and the like, and, from the store of his sociological knowledge, is confident of the early extinction of the Quakers, "an agreement into which citizens (of a given area) would enter with practical unanimity" has yet to be found, does not exist and never has existed. The fatal objection to Spencer's position is that conventions have always been imposed on a large part of society in order to form a State, and that when habit has induced the acquiescent to come to support conventions hallowed by time, new conventions are again imposed by the authority thus established, although they meet with the latent opposition or, at most, the tolerance of not a few. It is experience which induces this acquiescence with what, disliked at the moment, time may prove to be a useful convenience; and it is not rational conviction, but experience that opposition is hopeless, that induces acceptance in the first case. Progress involves the effective overriding of the wills of the weaker portion of a society, although progress is proved to be such by the fact that the acquiescence of this minority can be converted into support. We must, then, dissociate ourselves from Spencer's doctrine of social agreement. But we do this, not because of its contractual basis, but because Spencer ignores the fact that the group which reaches an active agreement may be far from including every individual in a given organized society, in which portions will agree by mere force of imitation of what seems reputable, and portions from fear of worse things will be constrained to agree.

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[1] H. Spencer: *The Man versus the State*, pp. 84–5.

The most effective objections to the social contract theory have been made by the Juristic School which propounded the dilemma, "On what authority can authority itself be set up, and, if on no authority, what sanction has the social contract to induce men to obedience to authority?" It is true that several of the contract theorists, such as Locke, draw a distinction between governmental and social contract and found a sanction for the governmental contract in the pre-existent and more permanent authority of the social will. But we are still forced farther back to ask why a dissident minority, perhaps of anarchists, should submit to this social authority, which is in fact but the will of a majority. To this the contractualists gave the reply that residence and the receipt of protection implied the tacit acknowledgment of that traditional authority which had grown up by the assent and consent of the ancestors of the present generation. Whether this collective consent be called contract, quasi-contract, or covenant is a lawyer's quibble, only appropriate because the exponents of this theory themselves used the terminology of Roman law along with that of the Bible. The essence of the case was that authority was limited by terms agreed between the subjects. Fundamentally, as Kant saw,[1] the theory had to be understood in the present tense as an explanation of the contemporary basis of social authority. The objection here of Hume, repeated by Austin, is that the promise involved in a contract adds nothing to the primary obligation arising from interest. For Hume the reason for obedience is "because society could not otherwise subsist", whereas the contractualists appeared to find the reason in that "we should keep our word".[1]

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[1] I. Kant: *Rechtslehre*, § 47. Here we seem to get the correct statement of the permanent substance of the doctrine of contract. The same valid position, stripped of mythology, will be found earlier in d'Holbach and later in J. S. Mill. "Telles sont les conditions du Pacte Social qui lie l'homme à la Société et la Société à l'homme. Il se renouvelle à chaque instant; l'homme tient continuellement la balance pour peser et comparer les advantages et les désadvantages qui résultent pour lui de la Société dans laquelle il vit" (P. H. T. baron Holbach: *La Politique Naturelle*, London, 1773, p. 13; also cf. p. 98). "Though society is not founded on a contract, and though no good purpose is answered by inventing a contract in order to deduce social obligations from it, everyone who receives the protection of society owes a return for the benefit, and the fact of living in society renders it indispensable that each should be bound to observe a certain line of conduct towards the rest" (J. S. Mill: *On Liberty*, ed. Routledge, p. 110).

In this we must agree with Hume, but also let it be added with Hobbes: the basis of agreement lies in the disasters accompanying disagreement, which may be patent to the dominant part of society, and not in any promise to keep the agreement. The convention is strong to the extent to which those who are party to it choose to support it and not because of any promise of support. Tacit assent arises from habit and tradition, not from promise, and active support from an appreciation of the relation of the convention to one's own will. But Hume is at fault in denying that obedience rests on "popular consent". The words involve a trickery. Obedience does not rest upon the consent of the whole people; but there would be no obedience if the dominant part of the people did not consent to cooperative membership of the group and find in the authority which they obey something commonly in accord with the several interests of them all, as they feel those interests.

Basis of Authority. Authority is, therefore, based on convention, not primitive or unchanging or universal, but on the convention of a sufficient number enforced by their interest or what habit has led them to act on as their interest. Authority is based on an attitude—the voluntary attitude of men who prefer to support rather than to oppose. And although a man may be compelled to obey, he cannot be compelled to support with his will. Concurrence in convention, even if not a free but a tradition-swayed act of the will, yet cannot be obtained or held by what is felt as force. The convention facilitates by its common rule the actual wills of its body of supporters, who believe that its abrogation or destruction would be to their relative disadvantage. And in their support it finds its vigour in securing the compulsory or passive acquiescence of the rest.

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[1] D. Hume: *Essays* (ed. Routledge), pp. 333–4. Cf. J. H. Huxley: *Methods and Results*, "Administrative Nihilism", p. 273: "If, nevertheless, the highwayman subsequently shoots me, everybody will see that, in addition to the crimes of murder and theft, he has been guilty of a breach of contract."

The basis of authority is, then, two-fold. For those who appreciate its value for the common good that basis is a support resting on consent, which consent again is invigorated by interest. Authority provides a road for the fulfilment of their wills, and as authority grows in strength, they grow in effective freedom. They are free within the law.[1] For those, on the other hand, who, without secession, are involuntarily obedient to authority, the basis of this is found in that force which induces them, as their free intelligence will not, on a calculation of interests, to assent. Further, there are many who consent to old-established authority, not from any active appreciation that it forwards their own wills, but from tradition, imitation, habit, and love of the reputable. These, while consenting, do not yet support authority to such an extent that they can be said to contribute to its organized exercise, although they may contribute to its numerical prestige. They would on the same grounds support a contrary convention if equally respectably established.

Here we have discussed what are the grounds of obedience. We have not discussed what ought to be the grounds for the good reason that those who support a convention may well differ among themselves why it ought to be supported. The politicist will be satisfied with observing that each finds his own will, his plan, his ideal, his social scheme carried out in part by authority and hence supports it. The rightness of the ideal is not here our problem; the actual behaviour and the common ground of support is sufficient for our consideration.

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[1] I. Kant: *Werke* (ed. Rosenkrantz), IX, p. 33 (quoted *infra*, p. 243 n. 1).

The limitation of authority is as vexatious a problem as its establishment. The question has provoked violent discussion, and theories range from the doctrine of the duty of rebellion to the thesis that the only limitation is to be found in the self-limitation of its action by the State's own juristic tradition.[1] Authority, however, rests on the wills of those who support the convention which it executes. This convention-upholding group may be smaller than the whole of the society governed by the convention; but that it should be strong enough to be dominant is essential for the maintenance of the convention. And to the extent to which the power of those in authority is turned to restrict, beyond what security makes advantageous, the power of those subjects who, by an attitude of their free wills, are able to give numerical force to the convention, the wills of those members will be in latent opposition.[2] The efficient power of authority will be reduced, until it is lower than the latent opposition which, becoming overt, will tend to replace it by a new and contrary authority.

The inherent limit of authority lies neither in law nor in force nor in contract, neither in revolution nor in self-limitation, but in the requirement of maintaining the strength of the believers as greater than the strength of the disbelievers. The desire for that freedom of action, which every agent will consider is his due, since it is his means of doing good as well as harm, results in a desire for the maximum of power where no disproportionate cost has to be paid in restriction from other men, who either resist one's control or who will only agree to a general law which restricts also oneself. Were any agent assured of being in a position to obtain control over others individually, while being itself not easily subject to general laws (and the State is largely in this position), there would be no reason why it should limit its power except before collective opposition. It can be laid down as a law, following straight from the will to execute my will and its consequent demand for power, that every man demands as much power as possible consistent with there being no disproportionate increase, either in the responsibilities felt to be incurred or in other restrictions. This is simply a corollary of the law of the barter of liberty against restrictions in return for security. There can then be no general principle, apart from the special circumstances of a special case, of self-limitation politically either of an individual or of a State. The Government ("State"), whether represented by autocrat or bureaucrat, will magnify its office. Power knows no inherent limits; its limits are set from without. Authority is limited by disbelief in the conventions on which it rests, which disbelief may grow into effective resistance. The State's power is limited by disbelief in the specific conventions, whether of law or of customary belief in the divine right of the sacred King or the sacred people or the majority, or of nationalism, and the like, which conduce to and facilitate authoritative action. In the last analysis all authority rests on an act of faith.

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[1] G. Jellinek: *Allgemeine Staatslehre*, ed. 1921, pp. 367 ff. Cf. *contra*: "Quand le gouvernement viole les droits du peuple, l'insurrection est pour le peuple et pour chaque portion du peuple, le plus sacré des droits et le plus indispensable des devoirs." (Constitution of 1793, sect. 35; Robespierre's draft of April, 1793, sect. 29.)

[2] Cf. the remark of Joseph de Maistre: "Il faut prêcher sans cesse aux peuples les bienfaits de l'autorité et aux rois les bienfaits de la liberté"—an interesting example of the moralistic, as distinct from the scientific, statement of this problem.

Authority is not only restricted by the growth of latent disbelief into active opposition against a convention actively maintained. The outworks of convention often carry a flag, but have no garrison in them, or what there was has been withdrawn long ago. It is not always the case that active opposition will meet active defence; the work of unbelief has sometimes been done too successfully and the convention collapses once its defenders are required to spare an hour of energy and discomfort on its support. For all constraint involves friction, the expenditure of energy and a certain discipline upon those who would constrain.

Opposition, which invigorates the defenders of a healthy convention to a closing of ranks and to a tighter organization of defence, shakes to pieces that which has no active support but mere passive assent behind it. Many methods are unnecessarily clumsy, and a less irksome expedient may be forced upon the Government by those who are too weak to oppose, and may not desire to defeat, the policy itself. Authority is established, "as hedges are set, not to stop travellers, but to keep them in the way. And therefore a law that is not needful, having not the true end of the law, is not good".[1] The social structure is full of such vestigial conventions which, owing to a conservative way of wishing and owing to demands for liberty canalized in a conservative fashion and in a limited field, have never for decades been challenged. They no longer represent the balance struck between the demand for liberty and the need for security, but owe their prolongation to the lack of stimulus which would push individuals into challenging them. When seriously shaken by the wind of adverse interest they fall to the ground. And in so far as this makes for the health and efficiency of the whole social constitution, this species of rebellious impiety is not only a courageous act, but a social virtue, although one of which the extravagances will properly receive stern resistance in a healthy society.

[1] Hobbes: *Leviathan*, ch. xxx.

What is required is not a society without reformers or which is always under reform, but one in which reformers are persecuted and still persist and, persisting, are honoured. The pressure of wills against wills tests redundant authority, which is in the contradictory position of being an exercise of power without a source of energy. But where the habit of the ruled is mistaken for their interest, or when the regimented either have no interest in a challenge or are filled with a sense of inferiority, what we may suspect to be redundant authority may continue to maintain itself. There is a *political inertia* in the pressure of wills, as there is an inertia in economics when capital or labour lack fluidity. Social change does not proceed smoothly from one order to another; each order is crystallized and, as Bagehot said, is a caked custom. There is a *limen* or "cliff" as we pass from the one order to the other, and although the play of social forces will be the same and the framework of the social structure is continuous, there will be a leap from the one order (or social *Gestalt*), and balanced adaptation to experience, to the new order and balance. The resistance, moreover, to passing over into the new order adapted to a new civilization may be successful, not in the main line of attack, but in the outlying parts of a culture. There is a "cultural lag" in this readjustment, and vestigial remains of the old order, divorced from present utility, but sentimentally precious, are preserved.[1]

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[1] W. F. Ogburn: *Social Change*, 1923, pp. 200–1: "The thesis is that the various parts of modern culture are not changing at the same rate, some parts are changing much more rapidly than others; and that since there is a correlation and interdependence of parts, a rapid change in one part of one culture requires readjustments through other changes in the various correlated parts of culture. . . . Where one part of culture changes first, through some discovery or invention, and occasions changes in some part of culture dependent upon it, there frequently is a delay in the changes occasioned in the dependent part of culture." Cf. R. C. Dexter: *Social Adjustment*, 1927.

In summary, authority is not the same as the dominance of right. It is, on the other hand, not based on coercion nor yet entirely on constraint. It derives its vigour from active consent.[1] But its warrant is this fact of consent by the predominant group, and not the abstract rightness or reasonableness of the convention enforced. The "conventional" is "reasonable", not in any ultimate sense, but in the limited pragmatic sense that it provides a practical accommodation of wills, permitting greater freedom for each, for the time being. It is not so much reasonable, indeed, as a stage in the development of social reasonableness. Authority, although it may be weakened in force, is not less authoritative in command because we—that is, particular individuals—deem it unrighteous.[2] Its mandate is not from abstract reason or justice, but from the actual agreement of the wills of those who are able to make their joint will effective. The law does not determine what is just for all time, but what is contrary to it is illegal at a given time. Authority to be stable—that is, to gain general consent—must satisfy the current standards of justice; but authority as such is not necessarily just, if by "just" we mean incapable of being improved upon at the moment as an adjustment of individual claims. All we can say is that the historical situation being what it was, at a given moment authority represents the compromise effected by the play of gross human forces, a compromise, nevertheless, which in so far as it lasts cannot have been far from that for which people were prepared. To have struck the compromise in another fashion would have involved paying a heavier price than that which they were willing to pay.[1] Thus, an indolent or timid people will tolerate what abstractly may seem monstrous injustice rather than sacrifice their indolence or take a risk; as some people have their fixed standard of living, so these people have their *standard of activity* and of the risks of activity.

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[1] T. H. Green: *Principles of Political Obligation*, ed. 1913, p. 32: "The value, then, of the institutions of civil life lies in their operation as giving reality to these capacities of will and reason, and enabling them to be really exercised. In their general effect, apart from particular aberrations, they render it possible for a man to be fully determined by the idea of a possible satisfaction of himself, instead of being driven this way and that by external forces, and thus they give reality to the capacity called will." Cf. also pp. 127 ff.

[2] Hobbes: *Leviathan*, ch. xxvi: "laws are the rules of just and unjust"; ch. xxix: "it is manifest that the measure of good and evil actions is the civil law, and the judge the legislator, who is always representative of the commonwealth. From this false doctrine men are disposed to debate with themselves and dispute the commands of the commonwealth . . . whereby the commonwealth is distracted and weakened." J. Austin: *Jurisprudence*, lect. vi: "Hobbes's meaning is obviously this: that 'no positive law is legally unjust'. And the desired proposition, as thus understood, is indisputably true." . . . Lect. v: "The existence of law is one thing; its merit or demerit is another." . . . "The most pernicious laws, and therefore those which are most opposed to the will of God, have been and are continually enforced as laws by judicial tribunals." . . . "But to proclaim generally that all laws which are pernicious or contrary to the will of God are void and not to be tolerated is to preach anarchy, hostile and perilous as much to wise and benign rule as to stupid and galling tyranny." H. v. Treitschke: *Politics*, Eng. trans. I, p. 23: "A step forward is taken when the mute obedience of the citizens is transformed into a rational inward assent, but it cannot be said that this is absolutely necessary. . . . Submission is what the State primarily requires; it insists upon acquiescence; its very essence is the accomplishment of its will."

The Political Alternative. The principle of what may be termed the *political alternative* can also be deduced from the nature of the political situation, as well as those principles which lie at the root of authority. Who wills the end must will the means. And who wills certain fundamental liberties, such as arise from protection of life, limb, and property, must will the consequences of enforcing that protection, even if it lead to the restriction of such abstractly desirable liberties as complete freedom of speech. Who wills government must abandon such methods of securing self-government as undermine all government. Who wills a Conservative Government must not subsidize, as did the Allies during the War, radical propaganda against another, unless he values the defeat of that other more than his own discomfiture. Society being a connected system and not an aggregate of isolated units, by taking any one course of action we restrict the power of our own will to carry out any course of action inconsistent with the consequences of the first course. Many of the great reforms of history, e.g. the enlargement of the franchise, have been due to the fact that self-interested men, to avoid one difficulty, have committed themselves on principle to a programme the consequences of which they did not foresee and which limited their wills in other directions.

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[1] An exaggerated expression of this position will be found in Pascal's *Pensées* (*Fragments*, § 294 ff.). "Justice is subject to dispute, force is easily recognizable and indisputable. So we have not been able to give force to justice, because force contradicted justice and declared that it was force that was just. And thus, not being able to make what was just strong, we have made that which was strong just." The case seems to be that we have no ground to complain against ordinary human justice, as it is found from Chicago to China, until we are prepared to make such sacrifices and give such hard thought as will maintain a higher and more rational justice. It is true of maintaining justice, as of liberty, that it is "the fruit of courage", *τὸ εὔδαιμον τὸ ἐλεύθερον, τὸ δὲ ἐλεύθερον τὸ εὔψυχον* (Thuc.: *Hist.*, II, xliii).

No fact in history is more startling than the frequency with which parties, to gain their private ends, have, for the sake of rallying sentimental support, enunciated principles which afterwards bore an interpretation far broader than their intention and even adverse to their direct interests. It is illustrated by the history of the baronage and the principle of the *liber homo* in Magna Carta, of the middle class in the French Revolution and the "natural rights" principles of '89, and especially by the history of the Declaration of Independence, with its assertion that all men are born free, and by the emancipation of the negro slaves. The more highly integrated the social system, the more the political law of contradiction becomes of practical application. This law is not a mere restatement of the logical law of contradiction.

It arises from the fact that, when we have decided upon one line of securities for the attainment of our end, which involves giving in return certain pledges of security to others, let us say, our fellow-Conservatives, Methodists, or upholders of the principle of no divorce, we are debarred from success in forwarding our end by the use at the same time of inconsistent means, such as strengthening by our support of those who would undermine Conservatism, Methodism, and no divorce. A dexterous individual may, of course, gamble with two parties. The law merely states that we cannot facilitate the execution of our plan by supporting two groups, if our plan is dependent on the success of either group and the groups are in fact in opposition. Nor, if we support one group, can we limit the effect of our support to that part of its mutually supporting conventional and institutional system, which we happen ourselves to endorse as moderate and reasonable. For this reason political egoism, by astute alliances, may accomplish widespread changes which political moderation aims at in vain—although there is a selfishness in the moderation which is only concerned for that part of a programme in which the moderates happen to be interested. If moderation alone builds with the stability of conventions founded on compromise, change can only be effected by those who are prepared to be thorough.

If we choose to place power in the hands of those who preach liberty, we must expect an increase of the application of liberty even in quarters where we personally should like to see restriction. We can no more demand to be given both more authority against others and natural rights of liberty for ourselves in any one political issue than we can force up the price of corn and ourselves buy corn cheap in the same economic market. He who gives power to a group gives it power which may be used against himself, and thus far limits his own power; nor can he regain this power, which he has bartered for a definite security, unless he reconstitute the opposition which can control that group. Thus the opposition between Liberal and Clerical gives power to the State-championing Conservative or Socialist. And we cannot ask for assured liberty without undergoing that discipline, organization, and restriction which is necessary to defend and maintain it. The "noble savage running wild" was destitute of generally assured liberty, and such as he had against his enemies was secured, not by wildness, but by an abject subservience to family custom; liberty has been assured by that massive and slowly elaborate structure of obligations called civilization. As liberty is increased so will discipline be. And for this reason it is often true that the Liberal who believes in individual liberty is least able to secure, or to present a united front in defence of, those guarantees of liberty which he values.

The Production of Security. The object of political consumption is security. As trade arises because a man imagines the enjoyment which he will get from a fruit or a hat or a sapphire and so purchases one, similarly in politics a man imagines the pleasure he will get from the gratification of a wish and so endeavours to secure that his fellows, who have it in their power to oppose or assist him in his plan, will cooperate with him or be deterred from opposing him. He requires, in this case, not an economic article which he may enjoy, but a guarantee of that political freedom of action which he will enjoy. For both alike he must put himself to trouble. But if he will go to the trouble of bringing others into accord with his plan—of building up a system of control which guarantees security—he may have his way. This will involve the restriction of his own liberty by discipline, by organization, by law. But in return he gets security by law, by custom, and by other, more limited, systems and relations of control. Freedom for myself is to be held to, since it is the condition of my doing what I will to do, and authority in my possession, or at my use, is to be desired as the guarantee of freedom. Conversely, freedom in another cannot be permitted unrestricted scope, since it may conflict with my freedom, and authority in another is to be restricted lest it extend itself over me by encroachment. From this consideration flow the whole constitutional and democratic movements against arbitrary authority. Every man, however, pays for the future freedom which he seeks at the price of some measure of restraint which he may not like, since, save at the price of some measure of restraint on himself, he cannot secure that concurrence which establishes the authority whereby restraint may be imposed on another. Conventions give security.

Institutions arise as organizations to enforce those conventions which are not sufficiently guaranteed by a general public opinion. Conventions come from the matrix of the social environment and receive shape from it. New material inventions will produce new needs, new ways of thought, and render imperative the adoption of new and strange customs. Conventions are formulae of compromise among the actual social forces, operating through human wishes and wills, at play at a given time. They are expressions of the balance of these forces. Institutions are the concrete form which these conventions take; in institutions, conventions, in order to secure an arm whereby to enforce themselves, tend to become incarnate. Thus, among the agencies for making conventions actual, institutions come first, whether law courts, police, civil service, trade union executive, or episcopal hierarchy, and the like. A convention, once it takes shape in a body of men organized to put it into effect, becomes an institution.

Besides the energy, however, of the wills of individuals in enforcing limited conventions, and the more far-reaching and permanent work of institutions, we must enumerate a third factor which contributes to the creation of security. Besides labour and factories, something is to be detected in politics which plays an equivalent part to that played by capital in the economic field. Many people, for the sake of social stability, are prepared to accept the restrictions involved in obedience to the law, or respond to an authoritative call to aid in its enforcement, or to defend the ancient institutions of the country. But, as a rule, the plain man finds his freedom in steering his course down the mid-stream of those channels dug out by mightier powers. Others will, for a salary and prestige, perform with conscientious ability managerial tasks in the work of administration. But only a few have that abnormal love of power which makes them prepared to undertake the heaviest labour and undergo self-discipline in order to enjoy it. Like the capitalist, who is prepared to save, so these men are prepared to work for power in order to use it as a step to further power. And upon the ambition of such men the energy depends which is required, in societies of average or of less than average public spirit, to maintain authority against factious opposition. They are to an extraordinary degree political men, as the capitalist is to an extraordinary degree the economic man.

The politician, as political capitalist, assumes responsibility and expends his energies in the labour of government in return for the interest of power. And he does this entirely legitimately in so far as the power he enjoys is the power in moulding policy which accrues to a man who has the intelligence to provide men politically with the social adjustments, securities, and facilities which they want but are unable themselves to procure. The social service of the statesman is at least as high and as much deserving of recompense as that of the financier. The expression "political capitalist" is not indeed quite accurate. The politician has to an extraordinary degree the spirit of enterprise; he is ready in return for the sense of power (not necessarily "selfish", but also, as in the case of Rhodes, in order to carry out plans for the good of his country) to assume responsibilities far beyond those which the ordinary man would care to assume. But his ability is that of capitalist-manager; his function is managerial. He is only a capitalist, in the sense in which the bond-holder is a capitalist, on the occasions when he does not contribute his managerial ability but adds to a policy the support of the accumulated votes which his own popularity or electioneering skill can command. The genuine political capitalist is the man who has the gift for securing support—"votes"—by organization or otherwise. An admirable statesman, as manager, may be a very poor politician, as party-leader and capitalist of votes. Both political controller, whether politician or official, and political vote-rallier are fairly entitled to a certain remuneration themselves in the moulding of policy. Both merit a legitimate share, if government is to be maintained, of the profits of government as salary of management or interest on support. "One man, one vote" cannot equitably spell "one man, one equal share in the shaping of policy". The dilemma of Politics, however, is that the man who has the energy to impose authority has the energy also to resist the trammels which the authority of the community would seek to impose on his individual power.[1]

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[1] Cf. the dictum of Mr. Philip Wicksteed, "Suppress individuality and you have no life; assert it and you have war and chaos". Society may, in this respect, be compared to a watch. If one removes "individualism", one removes the mainspring; if one removes socialism, social order, or what Signor Mussolini (who holds "socialism" to be too *individualistic* a term) chooses to call "sociality", one removes the wheels of the mechanism.

The same personal vigour which creates the State, organizes the system of law, and is necessary for the leadership of men, resists a monotony of social arrangements which meet the needs of the ordinary run of men.

CHAPTER V

CONFLICT AND SOLIDARITY

Conflict and Solidarity. (*a*) *Conflict.* "War", said Heraclitus, "is the father of all things." Conflict is not, however, the normal condition of social relationship. A mere mutual interdependence of striving wills has been succeeded, as civilization has developed, by an organic cooperation for the readier satisfaction of all. "Mutualism" is replaced by a measure of "solidarity". The State, as Plato asserted, has come to exist for peace, and, in so far as it assumes a military organization, this is for the better protection of the civil peace within its borders. The protection of life and the protection of the good life alike must involve the maintenance of a peaceful order, as a condition, if man is to live either securely or well. The criticism is then sound that any treatment of the problems of social life which implies a persistent condition of overt or impending conflict is a pathological treatment.[1] Social organization has been successfully built up through the ages as a bulwark against strife, and is firmly based upon the cooperative inter-locking of wills. For if the aims of many wills lead to conflicts, the fulfilment of those wills enjoins order and peace.[2]

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[1] Plato: *Laws*, I, §§ 625–8; Aristotle: *Politics*, II, ch. ix; III, ch. ix; IV, xiv; W. Y. Elliott: *Pragmatic Revolt in Politics*, p. 103.

[2] R. von Ihering: *Der Zweck im Recht* (trans. Husik), p. 67: "our whole life, our whole intercourse, is in this actual non-juristic sense a society, i.e. a working together for common purposes, in which everyone in acting for others acts also for himself, and in acting for himself acts also for others. Upon this mutual advancement of purposes rests, according to my opinion, the concept of society. Society must accordingly be defined as the actual organization of life *for* and *by* others, and (since the individual is what he is, only through others) as the indispensable form of life *for oneself*; society is therefore really the form of human life in general". (There seems to be some confusion here between society—Gesellschaft, a natural aggregate—and social organization or form.) "The world (*ibid.*, pp. 25, 28) exists by taking egoism into its service, by paying it the reward which it desires.

Conflict is the contradiction of social order and all civilization implies a measure of order. If the overt conflict of races, nations, or groups may be argued[1] to be the original cause of civilization, as hammer, anvil, and molten iron are of the implement of steel, this overt conflict cannot be argued to be the principle in accordance with which it is at present organized. And this is true although the condition of war may still be considered between groups larger than the national (although no longer between family groups) to be an ever possible contingency and even (by some) a desirable purge.

If, however, actual conflict is not characteristic of the structure of civilization—but rather of the mutuality of the dog-eat-dog or carnivore-and-prey relation as distinct from the relations in this articulated social structure—yet every social organization, being an organization of self-assertive wills, supposes potential conflict. No theory is sound which does not recognize this. Apart from consideration of the actual psychical pleasure and physical invigoration in the adventure of strife, it is fundamental to remember that no preestablished harmony of the wills of individuals exists. Each of them endeavours to preserve his power in the things he esteems

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The world interests egoism" (including, of course, the self-willed determination of the saint or reformer) "in its purposes, and is then assured of its cooperation . . . the way . . . is that of connecting one's own purposes with the other man's interest." G. Ratzenhofer: *Wesen und Zweck der Politik*, 1893, I: "Jede Politische Persönlichkeit ist der Ausdruck des socialen Bedürfnisses der Einzelindividuen" (p. 63). Cf. L. T. Hobhouse: *Social Justice*, p. 51: "There is freedom, just as far as there is harmony." For criticism of von Ihering, *vide* von Treitschke: *Politik*, 1913, I, p. 54.

[1] Gumplowicz: *Rassenkampf*, 1883, p. 218. It is, of course, the theory of an important school that the struggle continues covertly. "The moment when first the conqueror spared his victim in order permanently to exploit him in productive work was of incomparable historical importance. It gave birth to nation and State, to right and the higher economics, with all the developments and ramifications which have grown and will hereafter grow out of them" (F. Oppenheimer: *The State*, trans. Gitterman, 1914, p. 68). This theory of primitive society must be received with caution.

valuable, and is indeed under a moral obligation to do so. And if there is no harmony preestablished, none should be presumed in any scientific theory. Rather the rational reconciliation is always in the future and to be striven for, while the pleasure of fighting is in the present. The ascent from the primitive contiguity of family groups (themselves passing from the unconscious and "gregarious" to the conscious and "sociable" stage) to the elaborate system of a highly developed community is due to no sudden leap, but to the slow and painful organization of wills.[1] The result is the human artifact—social organization—built up, in all its delicate articulations, from the *prima materia* of natural society.

Conflict is the minor key of all social development. Thanks to it groups, in self-protection against external aggression, have fused into these societies of military discipline and of intense common feeling. Yet the same pressure has compelled groups to include within one society with themselves subordinate groups of other interests ranging from the determined criminal through all grades of faction to the discontented idealist, and thereby to introduce the seeds of conflict within the civil community itself. The fight for subsistence, says Ratzenhofer, is succeeded by the clash of interests.[2] After wars and rebellions come the resentments of classes and groups. Resentment may be subdued to mere differentiation, the dream of the philosophical anarchist, whereby in a free community some would pursue this, some that, without let or hindrance from tolerant neighbours. But through all the history from cannibalism to this Utopia of variety,[1] the thread runs of "otherness", difference, divergence, maladjustment, refusal. This conflict is as fundamental and inexpugnable as is the tendency to order itself.

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[1] R. von Ihering: *op. cit.*, pp. 34–5: "Unity of purposes and interests on both sides is the formula whereby nature, the State, and the individual gain power over egoism. . . . It wills itself alone, its poor evanescent ego with its paltry interests, and it calls into being works and structures compared with which the ego is like a grain of sand in comparison with the Alps. . . . The Infusorium is egoism ('Das Infusorium ist der Egoismus': *sic*)—he knows and wills only himself" (and the ideals of his own experience) "and yet creates a world."

[2] G. Ratzenhofer: *Wesen und Zweck der Politik*, 1893, I, p. 84. Cf. *ibid.*, p. 61: "Diese interessengemeinsame Vergesellschaftung ist aber kein willkürlicher Act des Einzelnen, sondern eine individuelle und sociale Nothwendigkeit. Die Politik ist nur dem Menschen eigenthümlich, wenn auch der Grundzug ihres Wesens, die absolute Feindseligkeit, der organischen Welt überhaupt zukommt. Die interressengemeinsame Vergesellschaftung ist aber nich mächtig genug, um zwischen den Theilen einer politischen Persönlichkeit den Ausbruch der absoluten Feindseligkeit zu verhindern; kein socialer Trieb, ja selbst die Blutliebe nicht, hebt den

The conflict is not, as Hobbes and the Natural Rights School metaphorically represented it, a conflict between individuals prior to the formation of society. It is always a conflict within society, a rivalry of men in relationship. That the conflict is intrinsic to the building up of society has been made clear in the striking work of Ratzenhofer and of Gumplowicz.

Under the influence of the biological advance of his time, as Hobbes and Spinoza were under the influence of the mathematical and mechanical advance of their

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Vernichtungskampf auf, sobald die Gegensätze lebhaft genug sind, um ihn zu entfesseln." This is what Herbert Spencer (*The Man versus the State*, ed. 1910, p. 69) refers to as "the beneficent working of the survival of the fittest".

[1] J. S. Mill: *On Liberty* (ed. Routledge), pp. 93–5: "Individuality is the same thing with development . . . it is only the cultivation of individuality which produces, or can produce, well-developed human beings . . . there are but few persons, in comparison with the whole of mankind, whose experiments, if adopted by others, would be likely to be any improvement on established practice. But these few are the salt of the earth. . . . Originality is the one thing which the unoriginal cannot feel the use of." W. von Humboldt: *The Sphere and Duties of Government* (trans. Coulthard): "The very variety arising from the union of numbers of individuals is the highest good which social life can confer, and this variety is undoubtedly merged into uniformity in proportion to the measure of State interference." I. Kant: *Idea of a Universal History* (trans. de Quincy): Without egoistic propensities "an Arcadian life would arise of perfect harmony and mutual love, such as must suffocate and stifle all talents in their very germs". Cf. L. Duguit: *L'État*, Eng. trans., p. 276. Too facile a willingness to cooperate ends in a loss of critical and moral sense and in condoning the vices or political corruption of our neighbours.

times, Ratzenhofer connects the struggle for survival in nature with the struggle for "success" in politics. "Success is the final aim of political action."[1] This is yet not a mere struggle for subsistence or for the territory which guarantees material wealth. With the question of the continuity between the biological struggle of living organisms for air and food, and the political struggle of the conflict of wills bent on success in carrying out their aims, we are not here concerned. The biological struggle, however, has this important difference from the political, that in the first case the defeated are destroyed, in the latter there is a survival of those who have been worsted. These increase in numbers and infect with their misery the whole body politic. The habit of calculation, which experience of the uninterrupted gratification of the will and success in the pursuit of power stimulates, discourages either the undertaking of the painful risks or submission to the economic and political drawbacks for one's children involved in having large families, while the attainment of power destroys the more naïve illusions of the myth of happiness. Only a keen sense of the unity of the whole community, not competition or biological struggle, can induce those who are able to hold power to abandon prudential restraints upon their own numbers; and this same public spirit, where it exists, must induce those in power to give those who have not power the possibility of living well while imposing on them the consequent obligation to live humanely. Usually, however, it is the meek or oppressed, who live in hope and have come to adapt themselves, as the Chinese and Jews, to the most unfavourable environments, who inherit the earth.

Whereas in the biological struggle overt conflict is more patent than coordination, in the political conflict the converse is true and the peaceful community is more in evidence than warring bodies. In natural society, although there is union for procreation, for the rearing of the young, for protection, and even for the pleasure of companionship,[1] the hostile relationship of victor and victim, where the conditions under which their prey lives determine the lives of the pursuers, is the one most obvious. In the political society of any civilization other than the most savage, the absolute hostility of individual against individual has been transformed or replaced by a more effective form of defence and offence, the alliance of individuals in groups against other groups. The potential hostility of individual to individual is allayed by the recognition of methods of coordinating wills, for defence, offence, and common purposes, under social conventions and laws. The requirements of success in the maintenance of interests compel this intelligent cooperation in a social system which is preexistent to the particular individual and his wishes.

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[1] Ratzenhôfer: *op. cit.*, I, p. 47: "Aus der höheren Kraft resultiert der Erfolg, und der Erfolg ist der absolute Zweck der Politik. Dieser Erfolg ist die Sicherung der Erhaltung und Entwicklung, ferner der Erweiterung des Einflusses und Besitzes einer politischen Persönlichkeit."

The mother of political action, however, is pain, not pleasure. For this reason a period of unusual prosperity is always a critical period in the *moral*, and respect for duty, of a nation. Ideals, again, lead people in various directions; pleasures can be forgone without disturbance; new and higher standards of human dignity and demand may be abandoned, as under the late Eastern Roman Empire, or forgotten as in the Darker Ages. But the compelling force of unpleasant circumstances, although not separable from our standards of dignity, freedom, and comfort, is steady, and presses towards the limited number of satisfactory ways of escape. The human will is not free, but is dependent for the content of its willing upon the stimulus of the whole complex of the interdependent environments, and for the intensity of its determination upon the intensity of that stimulus in immediate experience or in memory. Great movements only come when the few, stirred by the imaginative prick of an entirely ideal indignation, are joined by the many who have a concrete ground of grievance which unremittingly irritates them from inactivity into action. The determination of will which, under the influence of an inner ambition or ideal, leads to painful or laborious action being taken unnecessarily is rare; men capable of such determination are, if they have the requisite ability, the natural rulers, and are freely permitted to rule—since no one else has a vexed or imaginative enough soul to desire to undertake the trouble. The small man is, by his very nature, inclined to be timid and conservative. Any aggressive movement must depend for its stimulus, not on a vivid hope, but on a grievance among a number of people adequate to make their power felt. The weakness of many reform movements is that they rest upon the supposition that, if a mass of men will in fact be benefited by a reform, these men will bestir themselves for the reform. In fact, however, the prospects of success of the movement will depend upon whether the interested opposition can be outweighted by the numbers and determination (which implies something other than the nadir of misery) of those who themselves are stirred (not "ought to be stirred") by the wrongs which they themselves think that the reform will remedy, and, secondarily, by the good which they themselves believe it will, on the whole, confer, when balanced against the discipline and restrictions required by the reform. Such a movement, however, will involve common stimulation, organization of the less energetic by the more energetic, cooperation.

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[1] W. McDougall: *Social Psychology*, 11th ed., p. 85.

"Political struggles of the first importance move to their conclusion thanks to the natural drive of given circumstances and needs, without the influence of any clear, guiding notion." . . . Politics is that part of the struggle which goes on in nature in which the individual assures himself, thanks to association on the ground of common interest, of a more effective way of carrying on this struggle for his position and development."[1] The conflict and hostility is not one of instinctive bad will between tiger and ox, or man and man, but arises from the necessities of their conditions and needs. Not all hostility springs from the instinct of pugnacity or from the joy of giving battle. As Shaftesbury excellently comments on the phrase *homo homini lupus*, even wolves at home are well disposed and gregarious creatures enough. Conversely, association and its consequences, although doubtless a matter of pleasure to many, is a matter of free choice to none. "This association founded on community of interest," continues Ratzenhofer, "is no arbitrary act of individuals, but an individual and social necessity. Politics is only peculiar to men, if also of their very essence, in that it generally overcomes the absolute hostilities of the organic world."[2] Public war replaces private war as a means of attaining ends. The object of all war, private or waged by national or other groups, as Gumplowicz[3] points out, is to compel the enemy to serve and facilitate one's will. But if this can be attained by the less costly method of association, the labour of conquest is needless and to undertake it is a mark of unintelligent folly.

It is not, then, necessary to hold, with Thomas Hobbes, that there is a natural *bellum omnium contra omnes*,[4] an actual conflict of individuals, in order to disagree with those who would so far posit society as a natural fact as to decline all attempt at analysis, overlook all conflict as pathological and abnormal, and, in effect, presume an *ordre naturel* of harmony. Pure sociality, gregariousness, or sense of kind may be (almost tautologically) the characteristic of a natural society, but it gives us no second, contrary, and stimulative principle out of which —thanks to the overcoming of resistance—a hard-won social organization may be built up. To produce an effect at least two factors are needed, not one. There must be resistance and tension for organization: not only a passive, but also a stimulating factor; not only gregariousness, but assertion and force.[1] Sociality seems therefore to be a false, if facile, principle upon which alone to found a science of society.[2]

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[1] G. Ratzenhofer: *op. cit.*, I, pp. 49, 61. Cf. *ibid.*, p. 15: "Politik ist die Lebensäusserung *aller* Gesellschaftsgebilde mit Bezug auf ihre Macht und ihren Einfluss im Staate *und in der Gesellschaft*" (italics mine).

[2] *Supra*, p. 189 n. 2.

[3] *Vide supra*, p. 109.

[4] G. Ratzenhofer's "Gesetz der absoluten Feindseligkeit der Einzelindividuen" (*op. cit.*, I, § 7).

Conflict and solidarity are complementary to each other and spring from the more fundamental elements of the individual will and of the social relationship. The society which we observe as an harmonious organization, sometimes displaying a common purpose, is a successful balance of straining wills—a balance perpetuated by conventions and institutions, not simply translucent outpourings from Eden of the streams of good-will flowing out into the ocean of the Final Good. There is inevitable individuality. Equally, the conflict which we observe is an admission that, save for a few Australian aborigines, men cannot get out of each other's way and that they all frequently want complete and exclusive possession of the same material things—an admission of inevitable relationship. As Francis I stated diplomatically to

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[1] R. H. Lowie: *The Origin of the State*, 1928, pp. 116–17: "*A coercive force*, then, whether vested in a person or a group, seems the short cut to intensifying and bringing into consciousness the incipient feeling of neighbourliness that has been found a universal trait of human society. Once established and sanctified, the sentiment may well flourish without compulsion, glorified as loyalty to a sovereign king or to a national flag" (italics mine).

[2] J. Dewey: *The Public and its Problems*, 1927, p. 188: "The fact of association does not of itself make a society." Cf. E. Ross: *Social Control*, p. 12: "Sympathy is but the connective tissue. As well build a skeleton out of soft fibre as construct social order out of sympathies."

Charles V: "I desire the same as my brother of Spain." What we observe is *both* conflict *and* mutuality, because men have wills by a necessary illusion inevitably free to choose either to cooperate or not to cooperate in the fashion in which they confront the ineluctable fact of social relationship.

What harmony of wills exists at any time is due to an exercise of intelligence, which discovers a method, and of energy, which maintains men in an order in which the activities of each are generally consistent with the activities of the other.[1] Everyone contributes to this energy necessary for the maintenance of stability in so far as, spontaneous cooperation apart, he deliberately exercises himself to support authority. This harmony, which it requires energy to attain and maintain, does not arise from some extraneous uniting force, such as the divine will of God considered as transcendent or the command of a semi-divine legislator or a sovereign prince considered as in a state of nature over against society,[2] but from the wills of the members of society. Energy which might have been expended in conflict is, so far as a guarantee is concerned of our present powers and rights, more economically expended in maintaining authority. *Social order*, in brief, as distinct from *social existence* in the sense of mutual interdependence and of contiguity in family life[3]—in the sense, that is, of inability to avoid our neighbours or to avoid influencing or being influenced by them, is not a natural fact. Solidarity is more than mutuality. Fundamentally, social order is the product of a balance of wills in a condition of energy.

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[1] I. Kant: *Introduction to the Metaphysic of Law* (*Metaphysic of Ethics*, trans. Semple, p. 178): "Supreme Principle of Law: Every action is right and just, the maxim of which allows the agent's freedom of choice to harmonize with the freedom of every other, according to a universal law." H. Spencer: *Justice*, 1893, p. 46: "Every man is free to do that which he wills, provided he infringes not the equal freedom of any other man"—a phrase which does not preclude interference as such.

[2] Cf. the comment of J. Locke: *Second Treatise on Civil Government*, II, § 90 (ch. vii).

[3] The family here is considered as a non-political society held together by natural sentiment without any reconciliation of opposites or opposition. Needless to say, this is an undue simplification. The family as we know it

Rebellion and Dictatorship.[1] The more essential are thought to be the interests safeguarded by the maintenance of a given political balance, the more pressure will be put upon the members on the fringe of allegiance not to disturb it. Allusion has already been made to this in the discussion of the law of the inverse ratio of external pressure and of internal liberty. For this balance depends not only on the harmony of the active units, but also on the adjustment in one orderly system of the more active with the more passive or controlled units. The very fact that an organized society exists presumes a particular kind of order or system of social control. Outside the society any line of conduct must be fought for by wits or arms.

The balance is only maintained so long as the centripetal tendency continues, thanks to the spontaneous activity of those most benefited and active in swinging the whole community together on one course of action under the control of common conventions. No "balance" can be thought of as "putting pressure" on itself, but a change in the pressure of part on part, due to improved organization of a particular group or to new material advantages arising from a change in the environment of civilization, may result in a shifting of the form of relation of the balanced units or group of units. If a part begins to break away, the effect is not neutral. Treason is not neutral. It weakens the position of the whole. And short of so vigorous a course of conduct,

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in civilization, in which the members are self-conscious individuals (recognized by the laws which endow them with mutual rights), is a political body. In this phase, the family may be regarded as an admirable instance of the primary control group (domination or coordination) when the relation is a direct and individual one between A and B.

[1] Also *vide infra*, p. 250.

the breaking of minor conventions weakens authority and tends to upset the balance and to diminish the smooth way in which order is maintained and the advantages of order reaped. Hence no members of a community can afford to admit, as a principle, the absolute toleration of the freedom of action or speech at all times of the other members of a community. This follows from the very nature of community, which is organization and not aggregation.

The limit of tolerance is fixed by several factors. Of these, the first is the estimate by authority of what is fundamental to order and the estimate of the imminence of the threat to it.[1] Next, we have to consider the advantage of certain groups—such as those composing the majority—in accordance with whose preconceptions the character of what is fundamental will be decided and graded, and the respective power of these groups in determining the judgment of authority. To a hunting squire game laws may appear fundamental to the system of property, and this again to the stability of the State. To property-holders, again, a threat to property may appear more sinister, because more specifically and probably affecting themselves, than a threat to personal safety, and the legal guarantees against it may seem to them to require to be more secure because the offence may be more tempting and the threat may be more elaborate. Further, the position of the offending individual or group has to be considered. Toleration depends upon a view either being held to be unobjectionable to the powerful or upon the ultimate consequences of its suppression being shown to be objectionable, or upon its being espoused by the powerful.

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[1] Holmes, J., *in re Schenck* v. *United States*, 249 U.S. 47 (1919): "The question in every case is whether the words are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has the right to prevent. It is a question of proximity and degree." This is a dissenting opinion, but in *Gitlow* v. *New York*, 267 U.S. (1925), Sanford J., delivering the opinion of the court, said "that utterances inciting to the overthrow of organized government by unlawful means present a sufficient range of substantive evil to bring their punishment within the range of legislative discretion is clear."

Violent revolution comes when both parties feel that they have much to lose by defeat or to gain by victory. Especially is this the case where the ruling group has long been habituated to control or to its social dignities, in accordance with certain conventions which it has come to regard as natural and inevitable and the opposite as unheard of and horrible, while the insurgents have a keen sense of the intolerable nature of their constraints and a fear of being again subjected to them. Both liberty through security in accordance with the established law and direct personal liberty against the law have come to have a high emotional value attached to them, but by opposite groups. Such a revolution rends asunder artificial political conventions no longer corresponding with the real power situation. But political eruptions of this kind, when the people violently overthrows its rulers—

> *Et fessum quotiens mutet latus, intremere omnem*
> *Murmure Trinacriam, et caelum subtexere fumo*—

shakes the whole frame upon which orderly civilization depends. While of itself causing damage, it must be followed by a reconstruction of the social order, and by a compensating re-emphasis of an authority against an over-stimulated demand for liberty, which may well mean the denial of most of that for which the revolutionaries stood. There is a violent oscillation, and it may be long, unless there are men in control competent to show forethought and powerful enough to make it effective, before a tolerable balance between liberty and authority is again struck and conventionalized.[1]

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[1] H. J. Laski: *Grammar of Politics*, p. 124: "Violence always makes the play of reason impossible; and political philosophy cannot contribute

The economic law of decrease of profits in proportion to increase of prices beyond the limit of marginal utility has its parallel in the political field in the curve of effects resulting from increased doses of force. Up to a point the dominant group, with each additional display of determination, can still further get its way, while disaffected groups still find it to their total interests to give way and yet remain in the system. Beyond this point the friction becomes intolerable. Groups of marginal interest first, and then other groups will find it to their advantage to secede or resist despite the consequences. The recognition of authority and the power of convention to assist in its effective exercise through established channels decreases.

A strongly entrenched feudal baron, a wealthy middle-class, a desperate *jacquerie*, an organized nation, must either be given freer rein or will require a greater expenditure of repressive energy than a more dependent and vulnerable opponent of the will of authority. These cases remain matters of politics rather than of the justice by rule of the law-courts. Only the "strong buyers" need be feared, those who have little need for security and set a high value on liberty, so that their willingness to submit to restrictions, conventions, and the duties of obedience is inordinately low. The only method effective against these is to restore in them, by imprisonment or like

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hypotheses to a period of unreason." Cf. *ibid.*: *Communism*, p. 237; B. Russell: *Practice and Theory of Bolshevism*, p. 176: "The ultimate source of the whole train of evils lies in the Bolshevik outlook on life: in its dogmatism of hatred and its belief that human nature can be completely transformed by force." Because, however, a period of violence is always a period of unreasonableness and is in polar opposition to scientific government, yet revolution itself may be (as for example in 1688, 1776, and 1789, or the march on Rome of 1922) reasonable and scientifically well-calculated when what is required is to shake apart one set of conventions, sentimental attachments, and stereotypes, and to rebuild the social structure with other sentiments, conventions, and stereotypes. The new ideas are only fused into the unity of a binding convention by the heat of passion, and thereby govern wish, direction of will, support, and the balance of forces action, under the pressure of the other groups in the community, a higher sense for the value of security and a better appreciation of how little can be accomplished without it. A well-organized group is, however, often able to provide its own security, and is thus far on the road to becoming an independent community if the territorial situation is such that it is not compelled actually to establish mastery by force of arms over the others. An excessively intolerant society (i.e. controlling individuals or groups) is, of course, endeavouring the difficult task of increasing restrictions on liberty without increasing security, and even, thanks to the breakdown of respect for conventions, decreasing it. Unless the dominant groups are in a very strong position, e.g. aided by fear of foreigners or supported by neutral opinion, or by third parties in a weak position, the attempt must end in political bankruptcy, as much as the most culpable connivance with anarchy. The Spain of the Inquisition and any job-ruled and "racketeered" modern municipality have this much in common, that in neither does Government give a fair exchange for what it demands, in the one case from excess of police-power and in the other from lack of it.

Rebellion arises when the dominant part of society (the *valentior pars*) is asking too much in the name of authority and giving too little. The rule of an autocrat, however, is not necessarily unstable or "unnatural" if an unprecedented security or unwonted social facilities are given by the social order which he maintains, any more than a democracy is necessarily unstable which gives unprecedented freedom. The danger, in the former case, arises from the risk of abuse of all unchecked power on the part of authority; the danger, in the latter case, is from abuse on the part of the individual. We have earlier stated[1] the principle (law of maximalization) that everyone tends, other things being equal, to demand as much power as he can get, this being the condition of doing good according to one's own ideas. Under a competent authority in an organized society, the rioting of the individual will of the average man will be checked as an infringement of right or a falling short of duty. Where, however, anyone starts, dynastically or by *coup d' état* or by control of funds, with a preponderant measure of unchecked power, this can be consolidated in a conventional fashion, which it becomes illegal and, ultimately, immoral to oppose, and can be increased without fear of obstruction from individuals. Only a persistent and determined power with rival organizations and conventions—such as the Catholic Church showed it possessed in opposition to the Byzantine policy of certain German emperors, to Bismarck, and even at times to Mussolini, or as an Opposition Party possesses under the Parliamentary system—can meet it and check it.

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[1] *Supra*, pp. 110, 160.

The dictatorial system is no more objectionable in principle than any other workable political expedient.[1] Its suppression of the individual for the pragmatic advantage of society is less complete than in war, and it is, so far, a much more tolerable and justifiable expedient than war. The circumstances, failing better means, thrust these authoritarian methods, in the two cases alike, upon nations. A balance is maintained where otherwise there might be dissolution, but it is maintained by such pressure as dangerously increases the tension of the parts. An explosion may be prevented, but, if it comes, it will be proportionately more violent. As a political method for the permanent control of a society, the objection to dictatorship is the objection to a trust or monopoly. It may provide greater security at less cost than other forms of government, but there is no guarantee that it will do this. On the contrary, if it yields to the temptation to force its peculiar brand of security on the public with a low value in liberty of the kind actually wanted and at a high price in restriction, the result tends to be a violent revulsion and a demand for a government which will provide a different kind of social good. If this is not forthcoming, by the ordinary means of party government and by competing parties offering other types of social goods, there comes a general reaction against the over-production of security, and that revolutionary phase of the political cycle is passed into when inordinate value is attached to freedom from interference. Men will no longer cheerfully pay with individual liberty for such general security. And this revolutionary phase will continue until men have learned again by experience that, although it may be a first step to a new form of government which better appreciates the relation of supply to demand, yet, while it lasts, "nothing can be more authoritarian than revolution".[1]

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[1] J. J. Rousseau: *Contrat social,* IV, vi: "De la dictature."

There seems to be no objection in political science, despite the opinion of Washington, to the concentration of powers in the hands of one person or group—subject, however, to some ultimate normal check—and there is no proven advantage in a continuous institutional check (legislative bureaux, etc.) on the processes of governmental authority, even when this check is responsive to the preponderant will of a society. There is, however, an objection to there being no such ultimate check upon the power of the Government as will save the individual from that complete and unpolitical abandonment of power into the hands of others which was contemplated by Hobbes and the Non-Jurors.[2] This is merely a receipt either for stagnation or for revolution by so much the more total as the dominant minority may be narrow and by so much the more violent as it may be strong. Tension is as natural to society as control, and some normal means should be allowed of gauging this tension.

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[1] N. Lenin: *The State and Revolution.*

[2] *Vide infra*, p. 238, for the attitude of Kant.

This seems to be an objection to dictatorship in its present forms, although not perhaps in some more scientific future form (such as was contemplated by Plato), as a normal system of political control. It can, however, confidently be said that any authoritarian system will make temporary headway which gives, at the cost of restrictions which bear most hardly on the *intelligentzia* or propertied few, securities in those matters which most intimately touch people in everyday life (such as against unemployment, or destitution arising from ill health and old age). This result seems to be inevitable in an age when the ability to sabotage industry has shifted power into the hands of the workman. The same may be said of any system which can succeed in capturing the imagination of large numbers, while providing for their day-to-day needs, and also in winning the support of a small circle of men of great wealth. On the other hand, those systems of government are likely to lose, under the conditions of modern civilization, which even if threatening no restrictions yet offer no such economic securities, but only civil liberty. This "civil liberty", praised by the eighteenth-century writers and guaranteed beyond the immediate needs of the majority of poor men who live anyhow monotonous, routine, and regulated lives, speedily reaches its marginal utility for those who look forward to a life, not of partisan intervention in government or of intellectual challenge, but of toil and economic uncertainty. The less powerful the man the more he tends, *ceteris paribus*, to put the value of security (social liberty) above that of freedom. It is, moreover, important to note that he is here at one with the man of great vested interests. How far it is good that men who have never enjoyed the license of wealth and of freedom from anxiety should prefer the secure and happy monotony of the hive to the opportunity for the "exercise of initiative . . . in the attempt to secure the fulfilment of their best selves"[1] is a matter for the educator and moralist rather than for the political scientist. It may, however, be remarked that perhaps only in the atmosphere of security of the hive, guaranteed by social legislation in details, can the less strong and fortunate members of society rise sufficiently superior to the warping fear about material needs to take an interest in individual initiative and in the creative enjoyment of civilization.[2]

The danger, on the other hand, with too lax a democracy is from *coup d'état* by those who feel that it does not offer adequate security. Where everyone is given much freedom, the organized energy behind authority becomes weakened and dissipated. Conventions being no longer enforced are no longer advantageous as a guarantee, and hence it becomes even harder to command the personal energy involved in duty than before. It was so in Athens; and it is so in Chicago. Half-hostile groups, criminal or revolutionary, on the fringe of the community find that they can organize with impunity and demand such liberties, however injurious, as they choose. The basis of the need for authority is that the wills of all men are not parallel in direction and socially concordant, but that some desire to live, and will even organize themselves to live, more easily at the expense of others, undeterred by the resentment of their victims, and not at the expense of the natural obstacles which labour and intelligence alone can overcome. No Government is secure against contempt which forgets this need for effective authority, any more than one which excessively imposes on others what they regard as hurtful constraint or which is suspect of ranking itself on the side of those preying groups which regard control as a means to demand more than is contributed. Anarchy, understood as non-enforcement of regulation, and domination, or rule by a group for a greater advantage than the political conditions will stand, are both characteristics of a régime of unstable equilibrium. The one involves the evils of a lack of political goods—a condition which, although it may be simple, is seldom civilized—and the other the evils of a political monopoly. A stable equilibrium supposes "free discussion"—that is, a balance by spontaneous adjustment, natural under the historical circumstances—and neither the centrifugal dissipation of resistance to order nor the violently centripetal tug of arbitrary authority. Spontaneous adjustments, however, do not always take place until the habit of adjustment in terms of a given constitutional order has been formed, thanks to a system educed out of chaos by the masterful will of someone intelligent enough to see in which direction a national and permanent adjustment lies. Monopolies may have their uses when the alternative is the non-provision of the necessary goods of civilized life.

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[1] H. J. Laski: *Grammar of Politics*, 1925, p. 275: "Liberty in the social theory here urged means the exercise of initiative by each man in the attempt to secure the fulfilment of his best self." Cf. Graham Wallas: *Great Society*, p. 358: "the capacity of continual initiative" (also *Social Heritage*, ch. vii, and in the *New Statesman*, November 25, 1915).

[2] As the sage Mencius long ago remarked: "How can you expect a man with no work and no food to have a quiet brain?"

War. "War is Politics κατ' ἐξοχήν."[1] War is the conflict of groups which are not under one authority and one set of conventions sanctioned by authority. It is the straining of will against will for power and security outside that field, whether of the family, tribal, national, or world authority, over which, with the advance of civilization, the reign of law has been effectively established.[1] Nor, since conflict is latent in human society, is there any reason why war should not continue, in some form or other, so long as no such common authority is recognized. A more generally diffused sentiment of good will, although the mother of better things, is scarcely likely alone to be more consistently effective than was the sentiment which expressed itself in medieval *trêves de Dieu*,[2] while attempts to lay down (self-contradictorily) a *jus belli*, by restricting the use of such means as poison gas, are even less well founded than the Papal prohibition, when men appealed to the arbitrament of the God of Battles, against the use of the cross-bow.[3]

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[1] H. von Treitschke: *Politics*, I, p. 60. Cf. the post-war dictum of General von Ludendorff: "In the future, war will be the last and deciding factor in politics" (the next major war, it may be added, Maréchal Foch is reported to have decided will probably occur in 1935). "War is the creator of all great things. All that is meaningful in the stream of life has emerged through victory and defeat", says a contemporary popular writer (Spengler: *Decline of the West*, Eng. trans., II, p. 363).

"Cannon", says Paine, "are the barristers of crowns", but there being no judge to the case, no issue of right is settled,[1] unless one believes in a preestablished harmony between reason and might. Since reason is a supreme agent of power, in the long run this identification is probably sound. In the short run war, which is socially dangerous as giving temporary sanction to some of the most primitive human tendencies,[2] may be for the advantage of the more cunning at the expense of the more noble group, whereas individually the proverb holds true that "Immer der Krieg verschlingt die Besten". When the extermination of an enemy is no longer practised, war is biologically dysgenic, although not so much so when the entire civilian population is conscripted and exposed to the risks of the firing-line. Kant was of the opinion that, in the long run, reason (which we shall here identify with might inspired by that rational and calculating will which builds all social order) would compel men, "though they were a race of devils, assuming only that they have intelligence", to unite in a federation or cosmopolitical body.[3] How strong such an authority would need to be to repress war is a simple matter of political mathematics.[1] A power weaker than one State cannot control that State, and a power weaker than several States cannot control several States (any more than the French kings in the eleventh century could control their baronage). To secure that opposition shall be in a permanent minority or be the weaker part, a power is required equal to the collective force of the majority or to the stronger part of all the world's States —in brief, what Woodrow Wilson called "the organized major force of mankind."

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[1] Admiral Sir Reginald Custance: *Study of War*, 1924, p. 7: "Thus the whole military aim of each side is to destroy in battle or to neutralize, and to weaken the opposing armed force, including its directing will." "Security can only be reached through battle or threat of battle" (p. 160). General C. von Clausewitz: *On War* (with preface by Marie von Clausewitz), I, 1, § 2: "Violence, that is to say physical force (for there is no moral force without the conception of states and law), is therefore the means; the compulsory submission of the enemy to our will is the ultimate object. In order to attain this object fully, the enemy must be disarmed; and this is, correctly speaking, the real aim of hostilities in theory."

[2] Within man himself are other impulses than those making for sociability. "The energy of the impulses" (of the fighting instinct) "adds itself to and re-enforces that of other instincts and so helps us to overcome our difficulties. In this lies its great value for civilized man, if man devoid of the pugnacious instinct would not only be incapable of anger, but would lack this great source of reserve energy which is called into play in most of us by any difficulty in our path. Then the very efficiency of a war against war, as well as struggle against other evils that beset civilized society, rests on the preservation and use of aggressive feeling and the instinct to attack" (W. B. Cannon: *Bodily Changes in Pain, Hunger, Fear and Rage*, 1915, p. 291). Although the "pugnacious instinct" can assume in civilization various forms of expression, as does the sexual instinct, and, in this sense, "human nature" is not "always the same", what form of expression is desirable has been a matter of discussion since W. James wrote his *Moral Equivalent of War*. Many of those alternatives are too passive and cerebral to satisfy the aggressive impulse, but there will probably always be enough unpopular causes in the world to give satisfaction. Cf. Pierre Bovet: *L'Instinct Combatif*, 1917.

[3] Von Clausewitz: *op. cit.*, I, i, § 3: "to introduce into the philosophy of war itself a principle of moderation would be an absurdity". Cf. Grotius's own citation from Tertullian (*De Jure Belli et Pacis, proleg.*).

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[1] I. Kant: *Perpetual Peace* (trans. Campbell-Smith), p. 132: "Through this means, however, and its favourable issue, victory, the question of right is never decided." Hence, there being no judge, for all concerned are parties to the case, there can at the present time be in the exact sense no such thing as a just war (except as a subjective opinion), such as might be waged in obedience to an international sentence (*ibid.*). "The notion of a right to go to war cannot be properly conceived as an element in the Right of Nations" (cf. p. 135). Despite the opinion of the philosopher, except for the signatories of the Kellogg Pact, the present position in international law is that, as Lord Cecil of Chelwood has said, "it is a recognized principle that sovereign States have the right to resort to war should they desire to do so"—a right limited but not terminated by the Covenant of the League.

[2] The nature of the moral moratorium taking place during war is indicated by Lord Wolseley (*Soldier's Pocket Book*). "We will keep hammering along with the conviction that honesty is the best policy, and that truth always wins in the long run. These pretty little sentences do well enough for a child's copy-book, but the man who acts upon them in war had better sheathe his sword for ever." *Vide* also Machiavelli: *Art of War*.

[3] For Kant, needless to say, the performance of the right is a categorical imperative. Cf., for the practical difficulty of this non-historical standpoint, Maj.-Gen. J. Seely's statement in the House of Commons that

The contention, often urged for obvious reasons of tactical expediency, that the League of Nations is designed to keep the international peace, but is not a super-State, is one which (in the common meaning of terms) cannot be sustained, and which, as Mr. Lansing pointed out, is already contradicted by the logic of the Mandatory system. Either there will anyhow be harmony among States,[2] in which case a mere organization for perfected

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aeroplanes were "the only defence except the Sermon on the Mount" (*Hansard*, March 21, 1924)—a reply which the General regarded as definitive; in the alternative, God help us. . . .

[1] A clear distinction must be made between "war", by which is meant the exercise of military force by sovereign States against other sovereign States, being the public equivalent of the duel, and "the exercise of international police power", involving contingently the use of force. By "war" is meant, unless otherwise implied, private war waged by States in the "society of nations"—that is, in the supposed integral unity of modern civilization.

[2] I. Kant: *Principle of Progress* (ed. Hastie in *Kant's Principles of Politics*, p. 75): "A lasting universal peace on the basis of the Balance of Power in Europe is a mere chimera" . . . (*ibid.*, p. 147) "the falsely so-called Treaties of Peace which have been but cessations of hostilities." Cf. H. von Treitschke: *Politik*, I, pp. 72, 102: "Without war no State could be." . . . "War will endure to the end of history, *so long as a plurality of States exists*." . . . "No courts of arbitration" (which cannot be impartial) "will ever succeed in banishing war from the world." . . . "War is the very sphere in which we can most clearly trace the triumph of human reason." . . . "The laws of human thought and of human nature forbid any alternative, neither is one to be wished for" (pagination, 1897 German ed.; trans. Dugdale and Ten Brok; italics mine). Von Moltke's dictum will be recalled: "Perpetual peace is a dream and not even a beautiful dream."

diplomacy can only, by organized consultation, "facilitate" but cannot be said to "maintain" the peace, or there will be a need to check dissension by authority. It does not, of course, follow that the League need develop into a government after the model of the Hobbes-Austinian State, but rather, perhaps, after that of the conferences by which the British Commonwealth of Nations is held together as one constellation of nations and political confederate unit. Since, however, less sentimental unanimity can be anticipated, more force will tend to be required. But sovereignty cannot ultimately be in two places.[1] Either the orders of the international organization must be superior to those of municipal law, and it must be in receipt of the ultimate (although not necessarily of the more intimate) allegiance—it must be a Sovereign Assembly of Free Nations—or its orders must be merely supplementary and hortative—it remains a "free assembly of sovereign nations".[2] The dilemma of the citizen to-day is precisely the dilemma of the medieval peasant—namely, whether he should put his sentimental allegiance to his lord first or his allegiance to the claims of the remote ruler of the whole land, the King. The same argument can now be carried farther, and was indeed in the Middle Ages so carried. The reason, it will be remembered, why Dante argues in favour of a world-wide civil authority is because the object of secular government is peace; peace is only possible with unity, and only the world-ruler or emperor can provide one authority overruling all controversies.[3]

Power can only be checked by power, and it is futile to call an influence which has less than effective power by the name of authority. *βία βίᾳ βιάζεται.*[1] Further, only force can in the last resort maintain justice, and justice without power is impotent, although power without justice may be mere brigandage. Until it is practicable for a world organization to exercise effective authority by the support of opinion enforcible by action, the final word remains that of the national States themselves, each of which is properly regarded as an unchallengeable authority and its interests as the supreme good by its citizens.[2] They can only be superseded by an organization still better able, in the international conditions of modern civilization, to guarantee peace and security, just as the national State was better able to guarantee peace and security, when civilization moved from a village to a national economy, than was the feudal system. And what supersedes the national State will still be (as was the Greek *polis* and the Roman *imperium*), in a recognizable, although probably not in the contemporary, sense of that term, the State,[3] performing over a yet broader area the essential function of the State, the coercive maintenance of guarantees of civil peace, security and facilities warranted by law. The broader the area of effective peace the more perfectly performed is the State-function.

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[1] *Vide infra*, p. 428.

[2] H. v. Treitschke: *op. cit.*, p. 77: Wars "neither can nor should cease so long as the State is sovereign and stands among its own peers". The doctrine of *authoritative* international arbitration, as once exercised by the Papacy, has repeatedly, e.g. by Pierre Du Bois, been met by the theory of an institution using its officers to *exhort* men to keep the peace.

[3] Dante Alighieri: *De Monarchia*, I.

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[1] "It is by force that force is forced back."

[2] B. Bosanquet: *Philosophical Theory of the State*, ed. 1920, p. 184: "No true ideal lies in the direction of minimizing the State's individuality or restricting its absolute power." F. H. Bradley: *Ethical Studies*, p. 160: "There is an outer side, systems and institutions, from the family to the nation; this we may call the body of the moral world." Mr. Bradley cites (p. 156) Hegel to the effect that: "in respect of morality the saying of the wisest men of antiquity is the only one which is true, that to be moral is to live in accordance with the moral tradition of one's country". It need scarcely be observed here that the word used by the wisest men of antiquity would be *polis*, i.e. city, and not Mr. Bradley's Nation-State.

[3] Pulszky; *Theory of Law and Civil Society*, 1888, p. 216: "That movement of the organization of every society in which it presents itself as independent, dominant, and capable of asserting its own conditions of life *by force*, forms always a distinct phase in the process of association; and whenever any particular society assumes this form it appears as the State."

The greater authority may, of course, be constituted by a consensus of existing States and rest on their concurrent wills, as the national State rests on group as well as on individual wills. It becomes an "authority", and not merely a "power", if all recognize themselves, or are compelled to recognize themselves, as bound by it. But it is not an authority unless it has this power to control its members and to guarantee security. The establishment, nevertheless, of such an authority is not, in the last analysis, contingent upon the fact that some States persuade or conquer the others. International and national authority depend alike upon a factor common to them both, the consentient wills of individuals who actively give or who refuse allegiance. This change of opinion is something which cannot be forced or dragooned, but will only yield to the pressure of experience—a pressure which is often painful and sometimes cruel.[1] Only then does the balance of power cease to swing; the equilibrium is stabilized in a system susceptible of formulation in convention and of establishment in authority.[2]

The paradox, however, of authority we have seen to be that it at once restricts freedom (in general) and yet is set up to assure liberty (in particular). Coercive authority, unsupported by sentiment, is, then, of itself an evil,[3] which certainly does not grow spontaneously, unless it can be seen to be to the ultimate advantage of some group or groups which have the power to maintain it. Only those who will benefit by an international authority are interested in expending blood and energy in enforcing its will. What benefits, then, to liberty has an international authority to offer? And who will lose in their liberty by its establishment? For it is a political alternative that we must either take both benefit and restriction, or neither. It is clear that the fighter will still have to fight, not for one State against another, but for most States against some. Education may change our ideals and our notions of how conflict should be waged, but it will not eliminate conflict or preclude the possibility of a relapse from the more civilized standards under the stress of the clash of organized wills. So long as the criminal individual or group remains, and whether he or it disturb national public peace or the international peace, the police authority must remain also, although we may venture to change, for most occasions, the revolver to a baton. Man will still want to fight when will conflicts with will.[1] The only difference will be that the chance of the individual State's fighting successfully will become as small as is now the chance of the individual man's engaging with impunity in a private fight, brawl, or duel on a point of honour.[2] The successful fighters will be on the side of the international united command.

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[1] A. D. Lindsay: "The State in Recent Political Theory", *Political Quarterly*, II, 1914, p. 141. The establishment of an institution involves, not only common action, but the sentiment of mutual assurance (an established convention) to be stable.

[2] G. Lowes Dickinson: *The International Anarchy*, p. 4: "It is thus, in fact, a perpetual effort to get the better of the balance; and as this effort is prosecuted on both sides, the ultimate issue is war. All history shows this, for every balance has ended in war."

[3] W. Godwin: *Political Justice*, 17, p. 201: "Since government even in its best state is an evil, the object principally to be aimed at is, that we should have as little of it as the general peace of human society will permit". Cf. T. Paine: *Common Sense, ad init. Vide infra*, p. 289.

The area, however, of assured peace in civilization will be enlarged by the throwing of many countries into one area of control, convention, and authority. As international authority becomes consolidated, the risk of general war will be so far diminished that the forces of law can be put on a civil footing. To this degree war, as a morally legitimate and customary method of independent sovereign Powers, with its loss of life and disastrous expenditure,[1] will disappear. But the more pronounced benefit from the enlargement of the area of common authority lies, not in the reduction of armaments owing to the transformation of private State forces into public international forces, but in a new efficiency in the mechanism of civilization. A situation is conceivable in which the national State might become an elaborate and expensive institution, maintained by superstition, which in effect perverted to parochial ends the development of civilization for the good of humanity and of human individuals. In such an event there would be an antagonism between the high claims of the development of civilization (in education, health, and standard of living) and the claims of an antique institution. The building up of tariff walls for other purposes than (as in immigration laws) the legitimate protection of a particular culture, interference with the international picture-language of the films by quota systems for non-economic reasons, restrictions upon international broadcasting and transport, and the development of flying and like inventions of human progress primarily for military purposes, are instances of such perversions and prostitutions. Easy cooperation against the forces of crime and disorder; common conventions facilitating commerce and preventing disease; the spread of inventions; the application of intelligence to the common problems of civilization should confer benefits as marked by an advance upon those conferred by the national State, as the national State confers benefits in advance of those conferred when the unit of area for civilization was the feudal manor. There seems to be every reason to suppose that the main line of advance is not through disquisition on "political" first principles, but through unobtrusive economic conferences. It is a mistake, however, to imagine that for many people these benefits will outweigh the satisfactions of the association of sovereignty with the national cultural group. No new contractual order has ever been imposed on mankind, save against the resistance of a minority who only express their appreciation of its benefits after the old order has been destroyed beyond reprieve. No international omelette can be made without smashing national sovereign eggs.

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[1] General Allenby as reported in the *New York Herald-Tribune*, May 27, 1928: "I don't think that day" (of the abolition of war) "will ever come. Everything in life is competition. When you do progress, you are bound to run into the way of the other fellow." It should, however, be added that Lord Allenby subsequently (London *Times*, September 23, 1928) stated that "there was hope that war was a thing of the past and the peoples were learning a better method of settling their international disputes than the cutting of throats".

[2] C. von Clausewitz: *op. cit., ad init.*: "War is nothing but a duel on an extensive scale."

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[1] Sir Josiah Stamp: *Current Problems in Finance and Government*, pp. 97–98: "One could . . . state, without much fear of serious error, that the standard of life throughout great industrial Powers would be lifted by over 10 per cent. by the cancellation of the expenditure on armaments. . . . At the stage at which we stand, it is, for the mass of the peoples of these nations, the difference between grinding penury and a reasonable standard of comfort." Cf. I. Kant: *Idea of a Universal History* (Hastie, *Kant's Principles of Politics*, p. 24): "Thus, although our rulers at present have no money to spend on public educational institutions in general, in all that concerns the highest good of the world—because all their resources are already placed against the account of the next war. . . ." If loss of wealth, or even the 2-inch loss of stature alleged to have been suffered by the French people since the Napoleonic Wars is not a deterrent, loss of life is not likely to be. Although the Chinese sages long ago declared that to joy in conquest is to joy in the loss of human life, there are occasions when a man enjoys risking his own life and metes to others as he would have it meted to him. Pain is a different matter which, although a man may endure, none but the foolhardy will endure willingly. It may well be that "Alfred Nobel was perhaps not far from right when he thought that he had taken the main step to the abolition of war by the invention of nitroglycerine. He has, I suspect, exerted a larger influence in that direction than have all the sentimental pacifist organizations that have ever existed" (R. H. Millikan: "Science and Modern Life", *Atlantic Monthly*, April 1928).

These benefits should acrue especially to two groups. The trade of the world, and those whose interests are so widespread as to gain advantage by security and cooperation on an international scale, will benefit. The individual trader will benefit if the general advantage of trade means more to him than the support of his particular nation in competition against other traders.[1]

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[1] P. T. Moon: *Imperialism and World Politics*, 1926, p. 526. Cf. J. A. Hobson: *Imperialism*, 1902, p. 134.

Further, besides particular great houses of business and those who would benefit in their own dealings were civilization reduced from bellicose chaos to assured order, those stand to benefit who would gain most by a more efficient and more prosperous civilization. And these are especially the people who, living on the economic margin in the civilization of the national State, would be raised above it by the greater resources of an international civilization, organized with due respect to the maintenance of existing advances in the standard of living.

It has, however, to be noted that without protective conventions the economically more depressed populations would gain disproportionally to the higher civilizations. It deserves especial notice that at the present time an increase of population is the most effective means of defeating an enemy. Apart from numerical strength in the event of hostilities, it is possible to defeat an enemy in peace, even if he wins on the battlefield. Thus France stands to lose whether she loses or wins a war against Germany, since she can less well stand the crude loss to population. The Catholic Irish are supplanting in Scotland the Presbyterian Scots. This same population policy has received national recognition in Italy. Whereas it is unobjectionable when pursued in such a fashion as to produce the optimum population in a country for the purposes of civilization and the good life, if pursued as an instrument of national penetration or without regard to any standards of the conditions of the good life, it becomes a threat to self-respecting nations. Unless there is to ensue a race in the birth-rate, the claim that an enlarged population entitles in equity to a larger territory (in an appropriated part of the earth) must be abandoned, and the justice of restriction of immigration by municipal law or international convention must be admitted. Each country must do within its own frontiers, under the protection of international justice or of armaments, what it would with its own. This right, however, is not a barren right of sovereignty, with no better basis than any of the other so-called "natural" or absolute rights. It should be a right against others maintainable in international law, but subject to international conventions based on the agreed interests of civilization and on the maintenance of the best standards of living.

An interesting conclusion may be drawn. Civil justice has grown within the feudal and the national organization by protecting a man in his legal title to his property, whatever may have been the abstract righteousness of the sources of his wealth. The time has come in domestic administration when equitable considerations, based upon the public interest, are being allowed more place in swaying the judgment of the courts. The civil and criminal law, however, has grown up and is maintained upon legal, and not upon moral, considerations of title. Similarly, in international justice, if peace is to be maintained, not only righteous, but also inequitable frontiers must, as by a possessory assize, be maintained. Considerations of equity which have no title in treaty-right can only be considered in subsequent arbitration and by grace. International authority must enforce, not unascertainable abstract righteousness, but conventional justice ascertainable by law and titles, if the appeal to fist-right is not to recur. In making the treaties of 1919, peace may have been "a means of waging war", but this should not necessarily affect the maintenance of these or like peaces. The interests of universal order must come before local benefits under equity, until the time is ripe for the establishment of an effective equity jurisdiction able to change frontiers.

If, however, there are some who would gain by the establishment of an international authority, all those would lose who are attached, for reasons inconsistent with any reduction of the significance of frontiers to the present social structure, in which the State is not an administrative area but the final community. Such people must insist that all the members of the State have a common interest, that it constitutes a "we-group"—that it is the ultimate group—that of which the will is the *summum bonum*—and that allegiance is due to it alone. In this they will have the advantage of the existing convention and form of the social structure, and of all the habits and emotions which gather round the traditional structure and securities. The ordinary citizen can no more be expected to follow an international authority, even were it to make a claim on his allegiance, rather than his own State, than the villager could be expected in the Middle Ages to follow the King against his feudal lord. Only the slow pressure of inconveniences consequent upon a national organization of civilization, the untempered miseries growing from war (which is the method by which alone sovereign States can settle their ultimate differences), and disillusionment with makeshift schemes, are likely to be able to bear down the strength of ancient sentiments and moral convictions. Agreements and conferences may straighten out many differences as men intelligently recognize what may be done by cooperation. Spontaneous cooperation, especially in the economic field which is less charged with emotion, may be carried so far that the habit of joint action arises, and sovereign autonomy becomes a meaningless phrase. But, so long as there is no superior power with authority, it remains true, as Hobbes says, that, in the event of a genuine conflict of interests, "the private sword hath place again". Nor can this well cease until there is some power above States, capable of inspiring to almost the same extent that sentiment of civic duty and loyalty which the national State for the last century has been so well able to inspire, and strong enough to draw the sword effectively against whatever State appeals to war. For war, which has built up nations and civilizations in the past, is likely to have to continue this process.

In time such an organization might be able to rely upon the support of those directly interested; upon the pacific habits of the more apathetic; upon the devotion and self-sacrifice of those who love order and abhor that arbitrament of the sword which does not settle justice; and upon the military services (for carrying out the decrees of its tribunals) of those many for whom a warless world would be stagnant and intolerable.[1] At present, those who benefit directly by these new political goods are small and the market is limited. Those, however, who pay in time of war are many enough, and the security which they hope to purchase by their labours is the security of the nation. The question is whether every year it will not become more apparent to the dominant part of society that the Nation State, which exists as a political organization to give security, is itself one of the causes why security cannot be given. If so, support and credit will go to that political organization which can supply more security at a lower total cost. Until this happens, the advantage to national liberty believed to result from the present system will make men continue to be prepared to risk the certainty of disagreements in a world in which war is as ancient as peace.

Conflict and Solidarity. (*b*) *Solidarity.* The lightest form of political relationship, which binds together in human society by the links of cause and consequence the criminal and his victims, the conqueror and the oppressed, the patriot and the foe, the bankrupt in New York and the employee in consequence thrown out of work in Berlin,[2] has been given the name of Mutualism.[1] Its political importance has been at once under-estimated by the individualists and over-estimated by the adherents of this organic theory of society.

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[1] H. von Treitschke: *op. cit.*, I, p. 74: "Es ist gerade der politische Idealismus, der die Kreige fordert, während der Materialismus sie verwirft."

[2] *Vide* M. Delaisi's excellent book, *Les Contradictions du Monde Moderne*, 1925, p. 180; H. J. Laski: *Grammar of Politics*, pp. 19 and 285. Professor Graham Wallas, in his suggestive book *The Great Society*, has displayed

The importance of this bond has been under-estimated when the relations of man and man are compared, as by Hobbes, with those of animal and animal in the cannibal state of nature—*homo homini lupus*, the free competition of all against all. A disease-stricken enemy is rather a threat than a cause of congratulation to the

again his prophetic power of detecting, among the many tendencies of modern life, those which are significant and pregnant with future power. Cf. also A. J. Toynbee: *World after the Peace Conference*, p. 25: "In fact, the progress of the Industrial Revolution had made even the greatest of the previous units inadequate from the economic point of view, and was merging them all in one single economic system co-extensive with the world itself. Thus the economic reason for the existence of the Great Powers had partly disappeared." The doctrine here stated on the political and economic level may also be stated on the metaphysical, physical, and biological levels. "What is meant by Darwin's picture of the Web of Life, and when did he paint it? We find it in all his works—a luminous background—the idea of linkages in nature, the idea of the correlation of organisms. Cats have to do with the clover crop, Darwin says, and earthworms with the world's bread supply. If there is an orchid in Madagascar with a spur eleven inches long, Darwin prophesies that there is a moth with a proboscis of equal length. No bird falls to the ground without sending a throb throughout a wide circle, for Darwin rears eighty seedlings from a single clod taken from a bird's foot. Long nutritive chains may bind the bracken on the hillside to the brain of the proprietor—if he is fond of eating trout", etc. (J. A. Thomson: *Darwinism and Human Life*, 1909, p. 10). "Suppose, however, for the sake of argument, that we accept the proposition that the functions of the State may be properly summed up in the one great negative commandment, 'Thou shalt not allow any man to interfere with the liberty of any other man'—I am unable to see that the logical consequence is any such restriction of the power of Government as its supporters imply. If my next-door neighbour chooses to have his drains in such a state as to create a poisonous atmosphere, which I breathe at the risk of typhoid and diphtheria, he restricts my just freedom to live just as much as if he went about with a pistol, threatening my life; if he is to be allowed to let his children go unvaccinated, he might as well be allowed to leave strychnine 1 oz. lozenges about in the way of mine; and if he brings them up untaught and untrained to earn their living, he is doing his best to restrict my freedom, by increasing the burden of taxation for the support of gaols and workhouses which I have to pay" (T. Huxley: *Methods and Results*, 1894, pp. 260–1).

[1] E. Durkheim: *Division du Travail social*, 1922, p. 266.

conqueror; the microbe spreads from the cottage of the poor to the mansion of the rich and needs no passport to cross political frontiers.[1] Economic laws know no national boundaries. Ruined competitors, a lower class, the miserable and degraded, will produce children adapted to their conditions, who in their hordes will turn a civilization into a slum. A social cancer in one part of the social system is an infection centre threatening the rest. Doctrines started on their course in order to undermine a hostile State or opposing group are likely to turn to the detriment of one's own State. The financial downfall of one man or nation, apart from all individual intention or design, can destroy the credit or take away the means of livelihood of another. Agricultural changes run their even slower cycle, which only the wisest foresight and no political opportunism can stay or divert. Thanks to its financial and industrial organization and technique, to the assumptions of mutual exchange and intercommunication, modern civilization, in war no less than in peace, is a whole of which the parts are conductive of shock.

This interdependence may, however, mean one of two distinguishable things, the mechanism of Mutualism or the conscious recognition of the significance of this mechanism and the voluntary concurrence with others therein—that is, Solidarity.[2] In the most primitive society the safety of each tribe depends upon the circumstances, as bulwark or foe, of its neighbour. Even in the animal world the beast of prey must follow the migrations of its victims. But this mere mutualism cannot be sharply divided, as M. Durkheim divided it, from the helpful division of labour of the members of a community. Interdependence arises, even without conscious intention, and the endeavour to disrupt the bond becomes damaging to both parties. In the highly interdependent modern world, however fierce the animosity of enemies, the damage of war strikes alike victor and vanquished.[1]

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[1] C. Bouglé: *Le Solidarisme*, 1924, p. 27. Cf. the similar statement by Fouillée that "La solidarité fait retomber le mal des uns sur les autres, comme elle étend aussi le bien de chacun à tous et de tous à chacun. Elle oblige par là même la société à trouver un remède pour tout mal qui afflige l'individu, parce que ce mal tend à devenir social"—an account rather optimistic than scientific.

[2] A protest against exaggerated deductions of psychological solidarity from historical connectedness is aptly made by Professor Malapert (quoted, Bourgeois et Croiset: *La Solidarité*, p. 104): "Je consens à être reconnaissant au premier gorille, mon aïeul, qui mérita le nom d'anthropithèque; je ne vois vraiment pas en quel sens je suis à proprement par là son débiteur." The central truth is well expressed by Mr. Justice Holmes in his remark, "Continuity with the past is not a duty, it is only a necessity".

The importance, however, of mutualism may be exaggerated if it be confounded with the bond of community. The thief is dependent in his movements upon the movements of the policeman. More, he is protected by the law, while he carries out his thefts, from murder or lynching, and he has an interest in the maintenance of law. But in respect of his theft, the thief is not of one community with the officer of the law. And the "sharp" trader may, strictly in his own interest, develop commerce, so that others become dependent on his activities for the efficiency of their own. Thus the medieval usurer performed a service. But although there is here objective interdependence, there is no cooperation or sense of community.[2] When it is said that the social relationship is inevitable and a political axiom, no more is meant than that all men must stand to each other in a relation of mutuality. We shall see that the pressure of individual wills incessantly seeking satisfaction compels the development of this mutuality into ever more complex and developed systems of interdependence. But this is quite other than the assertion that the interests of all men are felt to be, or fundamentally are, at one. The inevitable bond of mutuality, although it has far broader consequences than are generally recognized, will bear no such burden.

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[1] *Rhineland Security Pact* (*Locarno*), *Preamble*: "les nations qui ont eu a subir le fléau de la guerre", a phrase applied to victor and defeated nations alike. Cf. also Norman Angell: *The Great Illusion*, 1910.

[2] J. Charmont: *La Renaissance du Droit Naturel* (trans. Scott and Chamberlain, 1921, Mod. Legal Phil. Series), p. 129.

It is noteworthy that when Immanuel Kant asserted that the interest of each is truly in unison with the interest of all, he was driven to postulate personal immortality.[1] Any unjust act must have its social repercussions, and, boomerang-wise, it must in the long run recoil on the head of its perpetrator, if he stand his ground. The swindler diminishes the credit of the society of which he is a member, and as a member he himself suffers. The man who starts the habit of throwing garbage down the stairs of a tenement building will himself soon suffer from dwelling in an ill-conditioned residence. Every offender renders necessary further restraints in the society to which he belongs and thereby contributes to his own restraint indirectly, even if he escape direct restraint.

The swindler, however, may be prepared to gamble on his chances of direct and indirect escape, and when the social suffering resulting from his wrong-doing has run full circle and should return on his own head, he may have escaped the country or died in peace. The remorseful sinner does not, indeed, live or die in peace; but the remorseful sinner is one who suffers from a sense of community with his fellows. Many, moreover, of the gravest ills flow from the acts of honest folk who fail to recognize genuine community of interest with persons remote from or inferior to them, or to acknowledge these evils to be even the indirect but certain consequences of their own entirely legitimate and respectable, if ill-designed, acts. Granted eternity for an education and an Omniscient Judge, the proposition that the interest of all is the interest of each might be confirmed by the experience of everyone, instead of weakened as intelligence shows clever men how to escape from the social nemesis of their offences. But Politics is not entitled to substitute, with Kant, in order to solve its problems, for simple principles of method based on the observation of men's conduct, beliefs which may be rightly inculcated in some ideal Republic, but which not all citizens in a secular community can be counted upon to entertain.[1] A political science is not entitled to assume, save for some City of God or society of the faithful, that there is any such unity of interest among men as most of the philosophers have implied, or that the anti-social will be automatically punished and the good receive reward. Among mundane civil societies, which nothing precludes from being, in Augustine's words, cities created by the "amor sui usque ad contemptum Dei",[2] it is safer to start with the economical assumption of the absence of agreed reciprocity of interest between individuals, families, groups, nations, in excess of mere mutualism, since it is from this defect that most of the conspicuous problems of politics issue. The sacrifice of the righteous claims of the individual to dominant convention and the sacrifice of the interest of the community to the greed of the individual have been the Scylla and Charybdis of political navigation.

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[1] I. Kant: *Critique of the Practical Reason*, Bk. II, ch. ii, § 4.

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[1] The contention of the late Benjamin Kidd, in his *Social Evolution* and in *The Science of Power*, that the intellectual side of man, developed by civilization, is individualistic and socially disruptive, and requires, for progress, to be corrected by the blinder social emotions, is logically weak. But, like the contention in the second book that modern civilization has more use for what are sometimes denominated the "feminine" good-workman qualities than for the "male" fighting qualities (cf. Veblen's *Theory of the Leisure Class* and Oppenheimer's *The State* for comparable social divisions), the thesis perhaps deserves rather more attention than it has recently received.

[2] *De Civitate Dei*, XIV, ch. 28. A striking acknowledgment of Augustine's impeachment of the secular society is to be found in the declaration of Patrick Henry, quoted *infra*, p. 247. Cf. also the striking animadversions on the origins of princely rule in the letter of Gregory VII to Hermann of Metz (Jaffé: *Regesta*).

Active social combination is more than the mere fact of actual social relationship and less than unification by instinct into a fused herd. And whereas a pleasure in gregariousness may have held the family, as a natural association, together until it grew into the self-conscious sociability of the clan, it is hunger and the hammer of war which have welded together the social structure. Hunger may sometimes lead to joint action to get food, sometimes to dispersion. The need of security always teaches that union makes strength. War is the State-builder by giving a rarity value to security. Conflict, become through a prolonged proximity of tribes and groups more persistent than are the spasmodic outbursts of sparse nomad families, leads, in order to be endured successfully, to a demand for support and concurrence among the members of the society.[1] For this combination, which involves a measure of community of interest and an interdependence which is thought of as in some measure a free act of the will, rising above bare mutualism, the term "solidarity" has been put forward by the French school of thought represented by M. Léon Bourgeois and M. Léon Duguit.[2] It is other than mutualism by being an intensification, voluntarily accepted and freely cooperated in, of the condition of mutualism. Like mutualism it is a fact, but unlike it it is a product of will and not an ineluctable fact. It is a product in part of stimulated experience, but in part also of "more thinking"—that is, of education. To the non-cooperator mere harsh, inevitable mutualism is left.

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[1] *Vide supra*, the law that internal liberty varies inversely to external pressure, p. 119. Cf. also G. Ratzenhofer: *Wesen und Zweck der Politik*, 1893, I, p. 9: "Hieraus ergibt sich das sociale Gesetz: Die innere Festigkeit der Gesellschaftsgebilde nimmt mit dem Kamfe zu; deren Zusammenhang lockert sich mit Aufhören der socialen Bedrohung."

[2] L. Bourgeois: *La Solidarité*, 1897; *Essai d'une Philosophie de la Solidarité*, 1902, editors, Bourgeois et Croiset; A. C. Bouglé: *Le Solidarisme*, 1924; L. Duguit; *Traité de Droit Constitutionnel*, 1911; *ibid.: L'État, le Droit objectif et la Loi positive*, 1901, trans. Scott and Chamberlain, in *Modern French Legal Philosophy*, 1921; *ibid.: Souveraineté et Liberté*, 1922, esp. chs. x, xi, xiii. M. Duguit defines solidarity as "the permanent coincidence of individual and social ends".

The word "solidarity", it should perhaps be said, is in some ways an unfortunate, because a misleading term. It may imply rather a fusion than a balance of wills, and lends countenance to such a doctrine as is frequently implicit in so-called "organic theories of society"—namely, that the community has a real personality or will apart from the individuals composing it. A system of wills, as has been said above, with its units in motion, rather corresponds to the constellation of atoms in a chemically compounded molecule. The atoms never lose their individuality, however stable the compound. And there is always the possibility that, under the disturbing influence of some external agent, the centrifugal forces will become predominant and the system will break up, to re-form with its elements grouped in some other shape.

The extreme closeness of texture of a highly solidary society has led many to the opinion that the social process can be explained solely or best in terms of gregariousness, herd instinct, or sense of kind.[1] There is, however, a danger in this method of explaining society by sociality. A measure of gregariousness, extending beyond groups formed by sexual attraction or parental affection, is undeniable in man, whether in origin he be strictly a gregarious or "political animal" or not.[2] And tribal custom, in which there is certainly no high complexity of administrative organization, is as authoritative as that of any modern society. The tribal custom is, however, that of a group engaged in defending itself against the savage enmity of other men and the harshness of a devil-infested nature. Here, as in societies articulated by industrial conditions, not mere similarity, but the need of defence or security and the prospect of conflict or competition build up such organization as the group has. Similarity is the mere jelly plasm,[1] which the struggles of individual needs organize into a structure like a coral reef.

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[1] W. McDougall: *Social Psychology,* 11th ed., ch. xii; Trotter: *Herd Instinct in Peace and War,* 1920, *passim;* F. Giddings: *Principles of Sociology,* 1896, p. 18, etc.; *ibid.*: *Elements of Sociology,* 1898, ch. xii. Cf. for an early expression, Grotius: *De Jure Belli et Pacis, proleg.* § 6.

[2] Whether man, anthropologically, is connected with gregarious animals or with animals wandering in couples, and hence whether, psychologically, gregariousness can be held to be a genuine instinct or is an acquired quality under pressure of circumstances, is still under dispute. We do not yet know, in short, that large-scale sociality is the only condition which satisfies the biological and psychological needs of our nature, although this may be the case.

This theory of the gregarious nature or race-unity of man takes various forms, such as that of declaring that society is an organism in the sense in which the human body is an organism,[2] or that there is a distinguishable social mind other than the individual mind,[3] or that the social mind is distinguishable as being the result of the interaction of individual-minds thereby raised to a new power.[4] Or the doctrine of the social organism may take the form of asserting that the community is an entelechy or moral organism.[5] All of these theories, however weak as prosaic statements of ascertained fact, also appear to be open to the objection in theory that they gloss over the difficulties arising from that natural self-assertiveness of man which yet itself builds up an organized society, although with tension, out of the gregarious instincts of a natural and animal herd living in an Eden of cow-like innocence. Not one, but both, tendencies must be allowed for in any adequate political science.

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[1] E. Durkheim: *Division du Travail social*, 1922, pp. 35 ff.

[2] A. Dendy: *Biological Foundations of Society*, 1924, p. 60: "Almost every organ that the body possesses has its counterpart in the social system, and as the organs are merely the means by which the functions of life are carried on it follows that the life of the community as a whole forms a close parallel to that of the individual man." W. H. R. Rivers: *Psychology and Politics*, 1923, p. 62: "It must be enough to say that modern knowledge concerning the living organism, both on the physiological and the psychological sides, teaches us that there is much less difference between society and organism than was formerly supposed, and that the difference between them is rather to be sought in the degree of plasticity and capacity for modification."

[3] Schäffle: *Bau und Leben des socialen Körpers*, 1875, I, pp. 53 ff.; P. von Lilienfeld: *Pathologie Sociale*, 1896 (preface by René Worms), p. xxii.

[4] W. McDougall: *The Group Mind*, 1920. Cf. Trotter: *Herd Instinct in Peace and War*, 1920; W. M. Conway: *The Crowd in Peace and War*, 1915; C. D. Martin: *Behaviour of Crowds*, 1920; G. Lebon: *The Crowd*, 1896; *ibid.*: *La Révolution Française et la Psychologie des Révolutions* (trans. Miall), 1913; *vide supra*, p. 162.

[5] Hegel: *Rechtsphilosophie*, trans. Dyde, p. 271; B. Bosanquet, *Philosophical Theory of the State*, ed. 1920, ch. xi; also pp. 175, 276; F. H.

That is not to say, as the French Encyclopaedists seem to have asserted, that the disinterested emotions in man, affection, pity, love of kind, and the like are less profound than the more egoistic impulses. Both alike seem to have a common root; but this root itself is sunk, not in order and the brotherly harmony of a Golden Age, but in the desire for life and in the hard conditions of survival which mould even the instincts themselves. These altruistic impulses may yet be much more than preservative, they may be more closely allied with the reproduction of the race than with the security of the individual, although they have been strengthened by this fight for survival of the individual as one of a family. The life force, which it is more desirable to obey than it is desirable to preserve that individual life which every suicide can afford to lose, is something chiefly for the geneticist to discuss and control. The politicist will only remark that some

Bradley: *Ethical Studies*, 1876, p. 147; cf. 1 *Corinthians*, xii. 26; Plato: *Republic*, v, 462: "As when one finger is anyhow hurt, the whole common feeling, spread through the body to the soul, with one symphony of its governing part perceives it, and the entire whole moves along with the distressed part"; also the more emphatic statement in the *Laws* (xii, 964). The metaphorical notion, under Pauline influence, is rife enough as, e.g., in Nicholaus Cusanus, and was re-enforced, materialistically, by Hobbes. The substance of the doctrine is given valuable expression by M. Hauriou (*Principes de Droit public*) as "l'idée de l'œuvre sociale". For description and criticism, besides Professor Allport's work already cited, *vide* F. W. Coker: *Organismic Theories of the State*, 1910, and M. Ginsberg: *Psychology of Society*, 1921. The doctrine of the "social organism" is the twentieth-century equivalent, in political mythology, of the "social contract" of preceding centuries—and is, pedagogically, neither better nor worse.

impulses, such as love of family, of nation, of country, of friends, because drawing strength from the primal conditions of *life*, may outweigh a clear individual *advantage* in terms of economic or political gain, or even of the security of individual life. No consideration, it may be remarked in passing, is of more importance than this for those who would undertake the task of bringing our political philosophy up to date in terms of our psychological knowledge. If men like, as the Liberals thought, "freedom from interference", they also find a profound pleasure in discipline—and demand sometimes the freedom to enjoy this pleasure. But whether in the case of individual or group, the active and formative factor of wills, striving and conflicting, operates along with the passive and plasmatic factor of men's habit of social life and inability—biological, sentimental, and economic—to live alone. This inability to live any way but in large groups, or, although protected in one's civil rights, to live a solitary and independent existence only interrupted by payment of tax or purchase of food, is one that grows as the mechanism of social organization increases in complexity.

Solidarity must not be understood as meaning solidity, or that fusion of wills in one superior moral will which is the source of the fallacies in the doctrine of Rousseau. Nor must solidarity be understood to be, not a fact, but a duty. It is a fact, but yet the product of cooperation of wills. As M. Duguit says,[1] cooperation "does not appear to us as a duty, but as a fact, which, as conceived by man, operates as a spring of action in consequence of his constant aspiration towards life—that is, towards diminution of suffering. We do not say that every act of social solidarity is a good in itself." This doctrine of solidarity has significance to the extent to which it enunciates, not a voluntary duty, but a necessary condition of the accomplishment of any ends whatsoever in society—a condition which cannot be ignored, but is a fact of the texture of the social structure. Solidarity is a result of the fact of social relationship—a mutuality intensified as a logical consequence of the endeavour of necessarily related wills to secure, by some intelligent method, the execution of what is wished. "If a man wishes to live, he must act in conformity with the social law of solidarity. Solidarity is not a rule of conduct, it is a fact, the fundamental fact of all human society. It is not an imperative, but if a man wishes to live, since he can only live in society, he rationally should" (? = if he would succeed, must) "conform".[1] It is not the name for a counsel of ethical perfection to which effect should be given. This caution is necessary. For whereas M. Duguit sees in this increasing social articulation, interdependence and conventional regulation, "a normal and inevitable phenomenon", rendered necessary in the more advanced and complex stages of civilization by increasing delicacy of coordination, he nevertheless speaks of "cooperating in the realization of social solidarity" and of "respect for every act of individual will determined by an end of social solidarity".[2] "Man is solidary with other men; he desires solidarity because he cannot be other than solidary, and for that very reason he ought to desire solidarity"[1]—an argument as psychologically superficial as it is logically weak, unless it be made clear that the phrase "ought to desire" means "it will be reasonable for him to act consonantly with solidarity, if he hopes to attain his ends".

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[1] L. Duguit: *L'État : Le Droit objectif et la Loi positive*, trans. Scott and Chamberlain, in *Modern French Legal Philosophy*, p. 308.

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[1] L. Duguit: *L'État, le Droit objectif et la Loi positive,* trans. Scott and Chamberlain, p. 259. M. Duguit writes elsewhere: "incontestablement les faits sociaux ne sont pas de même ordre que les faits physiques et biologiques; incontestablement les lois de causalité qui s'appliquent aux rapports des faits physiques ne sont pas de même ordre que les lois de but, les règles sociales, morales, économiques, juridiques qui s'imposent aux hommes vivant en société. Mais tout cela ne prouve pas que ce que j'ai appelé si souvent déjà la discipline sociale ne soit pas une réalité inséparable de la société elle-même. Nier cette discipline sociale, c'est nier le fait social" (*Traité de Droit,* 1921, I, p. 332). Bourgeois et Croiset: *op. cit.*, p. 30. Cf. *supra,* p. 86.

[2] *Ibid.*, pp. 290, 294. Professor L. Duguit has been taken to task for this contradiction by M. J. Charmont (*La Renaissance du Droit Naturel,* in *Modern French Philosophy*). It seems, however, possible to maintain that the stream of events in civilization makes for solidarity, and makes action, which recognizes solidarity, alone in fact contributory to the success

We are not here quarrelling with the fundamental notion common to solidarity and mutuality, that no act in society is truly self-regarding, but that every act is, like every physical event, eternal in the sense that it has repercussions, however diffuse or slight, over all society, extending the range of effects in space with the duration in time. Nor do we deny that there are degrees

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of the individual. The negation of solidarity would be an anarchy hurtful to all and hence contrary to the psychological tendency of human nature which avoids the hurtful. But, in the short range, a parasitic mutuality is possible, and the criminal may succeed in his short-range ends by clever gambling and an astute avoidance of consequences. Hence for the individual (the success of the race in civilization apart) arises a need that the merits of solidary action shall be vividly present and appeal as noble (because a subordinating of the part to the whole) to his mind. Solidarity becomes not only a matter of general fact, but of specific conscious apprehension, and a clue to duty as a means to ultimate social satisfaction. Hence solidary action becomes the aim of an ethical education which will train the individual's ideals to put particular wishes into perspective against the ideal (his individual ideal) of the whole. In recognizing the necessity of this ethical education in the recognition of long-range facts, M. Duguit avoids permitting his system to be obnoxious to the same objections as those urged against that of Thomas Hobbes. M. Duguit makes his position still clearer when he writes: "Man rebels against the rule of conduct because he has not a sufficiently definite understanding of the solidarity which unites him with others. . . . Individualism, as a spring of action, is based on a clear conception by individuals of social solidarity; egoism" (and here the term is used in a different sense from von Ihering's word) "rests on an individual consciousness which understands social solidarity either imperfectly or not at all" (*L'État, le Droit objectif et la Loi positive, op. cit.*, trans. Scott and Chamberlain, p. 307; *Traité de Droit constitutionnel*, I, p. 198; *Souveraneté et Liberté*, p. 146). The moralistic view of solidarity, on the other hand, is to be seen in a declaration of M. Boutroux: "That solidarity which we desire to establish is such as will conform to the idea of what is just, and will make the accomplishment of justice possible" (in *Essai d'une Philosophie de Solidarité*, 1902, p. 278).

[1] L. Duguit: *L'État*, Eng. trans., p. 296.

of mutuality according to the extent to which, in societies, one person has become dependent for the execution of his will upon the habitual cooperation of another, the process which M. Durkheim summarizes under the term "Division of Labour".[1] Certainly we do not quarrel with the contention that the continuation of the association of wills—which constitutes a society which is itself willed and is more than a mere inevitable mutualism—is yet something objective to any particular will. This scheme of relations of wills, thanks to which a society is solidary, dictates to the individual the conditions of success or failure. It dictates an objective law, resultant from the circumstances, for those who would secure efficient execution of their wills, good or bad. And to this objective law alike the State law (which is the present will of the group) and individual claims, to be effective, must conform.[2] The traditional structure, institutional and conventional, built up by wills and taking shape as a network of related wills in equilibrium, is stronger than any individual will or even any momentary decision of a group. Thanks to conflict, the relation of the wills is tense, but, thanks to the conditions of security and success, these wills are yet mutually interdependent, and, when mutually interdependent by a free act of choice, are "solidary".

We are, however, concerned to dispute the moral deductions of MM. Bourgeois, Bouglé, and Duguit. It may be good to cooperate. In the broadest sense it is certainly wise to do so—that is, it is certainly wise, if we wish to effect our ends, to conduct ourselves with discretion in accordance with what Professor Sumner chose to call the ancestral folk-ways. Even exploitation presupposes mutualism and demands that measure of credulity and cooperation which implies solidarity—although to speak of the "goodness" of the partial and calculating cooperation of the successful swindler, of the parasitic group or interest, or even of the man anxious "to get on in the world", sounds a *mauvaise plaisanterie.*[1] But the question for political science is not whether the consequences of cooperation are good or bad. It is possible to "follow after a multitude to do evil". The task of political science is to elucidate what those consequences are, so that each individual may judge for himself what will be the results of any course which he may decide to pursue. Whether he is prepared to pay the penalty of acting in this or in that way is a matter for his own judgment.[2]

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[1] E. Durkheim: *Division du Travail social*. M. Durkheim draws out, as Adam Smith did not, the social consequences of this division and interdependence.

[2] The same position, but stated in the anthropomorphic, "Oriental-Sultan" terms of the traditional doctrine, will be found in Stammler's *Theory of Justice* (trans. Husik, p. 147): Humboldt's "idea is opposed to the concept of law in general. The latter possesses the essential quality of sovereignty. It is a compulsory regulation, the validity of whose commands is entirely independent of the free consent of those subject to it". The subject of fundamental "natural" law, restated as sociological law, is discussed *infra*, pp. 431 n. 2 and 443 n. 1.

We are not concerned with the question whether solidarity is an end good in itself; rather it appears as conditioning means—these means being more delicate and complete the greater the degree of solidarity, but also more exacting in the skill required in their use. It may be that we ought to "abstain from any act that would be determined by an end contrary to social solidarity",[3] although this thesis has its dangers in appearing to condemn that vigorous individualism upon which so much of the world's progress has depended.[4] Economic efficiency is a high and important social good, the very foundation of all healthy civilization. But the economist, whatever the statesman may do, does not usually feel himself called on to insist explicitly upon the ethical value which lies in the establishment of a market and in the gathering of individual workers into large businesses or in the superior efficiency of large combines. So the politicist must regard solidarity as a means to ends good and bad, and as a good means just so far as it effectively subserves those selected ends. The development of business enterprise is a good for civilization unless it tends to exploitation or bankruptcy. So solidarity is good as a means for civilization just so far as it yields more in the facilitation of human hopes than it demands in the sacrifice of freedom—so far and no more. Beyond this point lies excess of authority and the tyranny of the group.

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[1] J. Charmont: *op. cit.*, p. 88.

[2] Cf. Fichte: *Werke*, ed. 1845, III, p. 88: "In the sphere of Natural Right we are only entitled to tell a man that such and such will be the consequences of his action. If he is prepared to take the consequences, or if he hopes to escape them, it is impossible" (irrelevant) "to argue the question with him further."

[3] L. Duguit: *L'État*, trans. Scott and Chamberlain, p. 293.

[4] Cf. H. J. Laski in Introduction to *Vindiciae contra Tyrannos*, ed. 1924, p. 56, and his praise of the man who stands, like Athanasius, *contra mundum*.

Social Reactions. It is more to the point that the solidarists have shown that a society which rests on any energetic convention of wills reacts in a repressive fashion to conduct which (rightly or wrongly) weakens its conventions. Duguit has brought out this point (against the theory of von Ihering, which makes the coercive rule of law a consequence of, and subsequent to, social organization in the State, not the society[1]) when he says, "if we suppose an individual to act contrary to the rule of conduct, his action will do violence to social conduct, and it will be so understood by the individuals who are conscious of" (i.e. are actively concurrent in) "social solidarity, and in consequence will provoke a reaction from the mass of such individuals". Whereas "an act done conformably to the rule will necessarily produce a social effect, an effect of solidarity, because this act, conforming to the rule of conduct, must be an act of cooperation in social solidarity". The enforcement of law is the expression of an automatic reaction of social defence.[1] This positive law, it will be remembered, also includes custom, and sanction is given not only by the deliberate support of those conscious of their own and the public interest, but also by the support of the vaguer forces of resentment against the suspicious and unusual. It is worth while adding that social action may thus also, especially in war, pogroms, lynchings, and the like, give play to those elements in most men—the lust of power and the rather rarer sadistic satisfactions of having others at one's mercy—normally held in severe repression by civilization as criminal, but permitted free play and even licensed against social outcasts or foreign foes. As has been sardonically said, there is great psychological satisfaction to be found in those occasions, such as war, revolution, and witch-findings, when the greatest wickedness is the greatest virtue. The phenomenon is unfortunately not uncommon of a low man giving rein to a long-thwarted lust of domination, which he feels is sanctioned by morality when directed against those who have broken convention, and thereby at once, by miraculous coincidence, glutting his passions and restoring his own sense of self-respect.

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[1] R. von Ihering: *Der Zweck im Recht*, trans. Husik, p. 238. Cf. L. Duguit: *Traite de Droit constitutionnel*, I, p. 125; *ibid.*: *Le Droit social*, 1908, p. 10.

Social solidarity is, then, not the aim of social purpose, but the frame of the successful coordination of individual purposes or (to speak, not teleologically, but evolutionarily and in terms of the atom of our political chemistry) of wills, so that they are assured against wills aggressive and at conflict with the group. Here in its foundations, although not in its elaboration, the system of von Ihering is sounder than M. Duguit's hesitations between a natural treatment of society as, at certain stages of development, solidary and an ethical treatment of conduct as something which ought to be directed towards the promotion of solidarity. For under this latter treatment the solidarity natural to the social method becomes, not something to be observed, analysed, and controlled, but an idea to be revered.

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[1] Lowie: *The Origin of the State*, 1928, p. 6: "The groups, nevertheless, cohered through the unenforced acceptance of certain standards, violation of which precipitated general disapproval."

Von Ihering defines the aim of his work, *Der Zweck im Recht,* thus: "to show what part egoism plays in the human world, what it is able to accomplish, and where it fails".[1] This problem he attempts to solve by showing that positive law is concerned solely with utility; that egoism can produce the organization of the State as "organized social coercion", and positive law as the formula in accordance with which this coercion is exercised. Egoism, however, cannot produce intrinsic worth. "How great intrinsically a person was is quite an indifferent matter to the world; it only asks for and retains what he was to it. In the book of history *nomen* signifies, as once it did in the Roman housekeeping book, the entry of a debt."[2] The State is the organization of force—that is, of wills able to be stirred to joint action—and "force produces law immediately out of itself, and as a measure of itself", law evolving as "the well-understood politics of power".[3]

The only objection to this doctrine of von Ihering's is that he does not acknowledge that coercive pressure, while given more effective direction by the State organization, exists and is exercised by an association and movement of assertive wills, before these wills proceed, from their first common direction and vague conventions, to take explicit institutional and executive shape in civil institutions. The convention does not emanate from the institution, although the institution may find and declare the precise formula of the convention. Originally and fundamentally (in the sense that successful legislation cannot go against convention) the convention is first, and to gain executive strength later takes to itself body in institutions.

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[1] R. von Ihering: *op. cit.*, p. 24.

[2] *Ibid.*, p. 63. [3] *Ibid.*, p. 187.

The same thought that the social system is an organization of individual wills determined by, and balanced in accordance with, what happen to be the private instincts or interests of individuals is earlier to be found expressed by Kant, as is the idea of law as issuing from such a system. "Right", Kant says, "includes the whole of the conditions under which the voluntary actions of any one person may be harmonized in reality with the voluntary actions of every other person according to a universal law of freedom."[1] What Kant means by these voluntary actions is shown in his *Idea of a Universal History*. Nature acts, "not by any direct interposition in our favour, but through man's own spontaneous and artificial efforts (spontaneous, but yet extorted from him by his situation), and in this apparently wild arrangement of things is developing with perfect regularity the original tendencies she has implanted".[2] The problem of Politics Kant admirably states in his *Perpetual Peace*.

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[1] *Vide* p. 243 n. 1 *infra*. Also cf. Kant: *Über den Gemeinspruch: Das mag in Theorie richtig sein*, etc.: "Ein Jeder darf seine Glückseligkeit auf dem Wege suchen, welcher ihm selbst gut dünkt, wenn er nur der Freiheit Anderer, einem ähnlichen Zwecke nachzustreben, die mit der Freiheit von Jedermann nach einem möglichen allgemeinen Gesetze zusammen bestehen kann (d. i. diesem Rechte des Andern), nicht Abbruch thut." The same position is stated in slightly different terms by Fichte (*Science of Rights*, trans. Kroeger, 1869, p. 137: "If reason is to be realized in the sensuous world, it must be possible for many rational beings to live together as such; and this is permanently possible only if each free being makes it its law to limit its own freedom by the concept of the freedom of all others") and repeatedly by later writers.

[2] Kant: *Idea of a Universal History* (trans. de Quincey in *London Magazine*, X, 1824); cf. also *ibid.*, VII: "die Natur verfolge hier einen regelmässigen Gang, unsere Gattung von der unteren Stufe der Tierheit an allmählig bis zur höchsten Stufe der Menscheit, und zwar doch eigene, obzwar dem Menschen abgedrungene Kunst zu führen, und entwickele in dieser scheinbarlich wilden Unordnung ganz regelmässig jene ursprünglichen Anlagen".

"Given a multitude of rational beings who, in a body, require general laws for their own preservation, but each of whom as an individual is secretly inclined to exempt himself from this restraint: how are we to order their affairs and how establish for them a constitution such that, although their private dispositions may be really antagonistic, they may yet so act as a check upon one another, that, in their public relations, the effect is the same as if they had no such evil sentiments? Such a problem must be capable of solution."[1] It is unnecessary to ascribe to these beings "antagonism" or "evil sentiments", although it would be unwarranted to assume the absence of these. Enough that we can postulate an irritation at restraint and a wish for preservation.

The views of Kant and von Ihering may appear, from the solidarist point of view, open to the objection that they are too individualistic, although Kant insists on the doctrine of environmental pressure, elaborated by Durkheim, that man's efforts are at once (subjectively) spontaneous and (objectively) "extorted from him by his situation".[2] The phrase "how to establish for them a constitution" may seem reminiscent of the then contemporary social contract philosophy, with its theory of the natural rights of individuals. M. Duguit accuses Gierke of falling into a like fallacy of *a priori* individualism, when Gierke (following Kant) refers to the individual as "an original essence, existing through itself, bearing its object within itself".[3] It cannot be too emphatically pointed out that the individual will, even under the most primitive conditions as a member of the family group, can with difficulty be imagined as being otherwise than in a social relationship. Unless men at some time submit to the yoke of such a relationship, with its appropriate *mores* and mental influences, there can be no perpetuation of the species, no protection, no wealth, no civilization. Even eremites gather into conventual settlements. The solitary condition and the free contract are not serious hypotheses for political science.

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[1] Kant: *Perpetual Peace* (trans. Campbell Smith, 1917), p. 154. Kant indicates his own line of solution in his *Idea of a Universal History* (*op. cit.* and trans. W. Hastie in the collection *Kant's Principles of Politics*, 1891, p. 16): "Nature has accordingly again used the unsociableness of men" (for "man has an inclination to socialize himself" . . . and "a great tendency to individualize himself"), "and even of great societies and political bodies, her creatures of this kind, as a means to work out through their mutual antagonism a condition of rest and security."

[2] *Vide supra*, p. 145.

[3] Cited by Duguit: *L'État*, *op. cit.*, p. 338.

There yet is this "original essence" in the individual will which freely gives to, or withdraws support from, this or that political system according to whether the system does or does not facilitate the execution of this will. There is no human equality in any biological sense. But nevertheless every human being while he lives is an indivisible nucleus of activity and a genuine social unit of potential significance. Every man is born free as an "I", answering for its will only to itself, and able to change that will in an instant, and yet everywhere man is bound by social restraints. He may be biased and rendered docile by an overwhelming tradition or by a calculated education. But still the effects, as touching the direction of his will, remain uncertain. He may give or withdraw an allegiance of the will which is his to give or withdraw. His will remains final, a single unit seeking a method of expression for itself. For the direction of the individual will is not to be changed by the mere fact of the contra-determination of another, but by its own reason, choice, or whim, although it may be constrained and repressed by force, fear, and pressure. The head-on opposition of the principles of liberty and authority is only to be met by the coordination of individuals in society, as well as by scope being provided for the play of the natural spirit of adventure.

By "solidarity", then, we mean that men, to succeed, must attain their aims (as a consequence of the fact of the social system) through society, and therefore, for the sake of the efficient execution of their wills, are compelled gropingly or consciously to seek the cooperation of society in order to avoid let or hindrance. And hence, willy-nilly and owing to the logic of the social situation, the parable of Menenius Agrippa becomes true, and individuals, becoming members of a society of a certain intensity of coordination and mutual dependence, become incapable of living their life apart from this social body.

The civilization of the automobile, the telephone, and the radiogram, of aeronautics and television, bases its social arrangements first on the possibility and then on the assumption of the use of these and like inventions. In a given society the minority, consisting of those who do not use them, being unable to fulfil the assumptions of that society, is at a disadvantage. Similarly, in a civilization of specialized labour, he who is not a specialist drops into the handicapped ranks of unskilled labour. But the specialist is too dependent on others to be able to live tolerably under conditions which disturb the delicate interlocking wheels of his society or to continue with equanimity under less specialized conditions. Where specialization means new possibilities, it becomes permanent. A new civilization makes it a factor in a new system of relations, upon which those who adapt themselves to the new order are too committed and dependent to go back. The contract is irrevocable. And, again, under this new system those who are not adapted are put at a disadvantage and debarred from success.

There thus appears to be a fundamental principle of politics, enunciated in Spencer's law of integration,[1] that a stage of greater solidarity will drive out a stage of lesser solidarity, provided that the new stage imposes (on the generation which first experiences it) no heavier felt restraint than the old stage. For he who cooperates in this new system experiences its supposed advantages in the support of all for each. But he who does not cooperate with it is not left where he was, but is involuntarily drawn into a network of relationships to which he is not adapted and in which he has no part. This principle appears to be, not merely a general observation, but a theoretically necessary rule deducible from the more radical principle of search for the maximum of power and liberty. The true Socialism would seem to be one imposed by the natural facts and political process, as a condition of effective individual liberty in more complex stages of civilization and of individual demand, and not a Socialism imposed by law as a bare command of a body of men, save in so far as this command is the human copy and reproduction in positive law of a fundamental social plan and a manifestation of the workings of that natural law which the politicist studies. It is a name for a specific type of social reaction, set up by certain conditions of civilization, which conditions seem perhaps increasingly to be those of our age.

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[1] *Vide supra*, p. 108.

Each stage of the advance in the interdependence of individuals in society and of societies with each other marks a new "price-level". The old barbaric freedom[1] may be regretted with its little restraint and few social facilities. But, good or bad bargain, it has gone beyond recall. In the new social market political goods are procurable at the current price. The goods are supplied, whether we consume them or not, and we must pay for them in restriction unless we can persuade the body of our fellows to revoke these laws and conventions. If we long for other and older customs, we can no longer have them. In the economic market one purchases what one needs and the market affords, and earns the money to pay for these goods in such an employment as fortune offers one. In the political market one purchases what one needs if it is among the securities which one's political society affords, but one earns the right to it by enduring all those other restraints which go to make securities which other men need and which are maintained by public effort in what happens to be our particular political society.

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[1] I. Kant: *Rechtslehre* (trans. Hastie), p. 47: "The Commonwealth is the people viewed as united altogether into a State. And thus it is not to be said that the individual in the State has sacrificed a part of his inborn external freedom for a particular purpose; but he has abandoned his wild, lawless freedom wholly, in order to find all his proper freedom again entire and undiminished, but in the form of a regulated order of dependence —that is, in a Civil State regulated by laws of Right. This relation of Dependence thus arises of his own regulative law-giving will."

The principle of Conflict springs from the demand for the maximum liberty to fulfil one's wishes and hence the maximum power whereby to control the power of another. It is the principle of Competition, whether in demand for secure ways of executing my will or (as between rival political organizations) in supply of social goods. The principle of Solidarity springs, independently of the direct will of man (as this or that individual), from the fact of society; from the need for facilities for the fulfilment of wishes through social adjustment and coordination; from the demand for security. Without it there can be no guarantee at all of security. It is the principle of Organization for Manufacture. And what will be manufactured depends upon the civilization of the age. Were it not for political solidarity, there would be a dearth of security and man would relapse into barbarism, into the feuds of families and of natural blood-kin groups with each other, and into internecine war.

CHAPTER VI

BALANCE AND CONVENTION

Social Balance. There is always potential conflict. The wavering, however, between a self-will, which makes for conflict, and a consciousness of dependence and of interdependence, which makes for corporate action, tends to come to rest in an equilibrium between the centrifugal and the centripetal forces. Such a balance of exchange is struck between the individual demands for freedom and the demands of authority for the performance of duty, that the individual is satisfied for the time being with his bargain of liberty under law, while other individuals in relation to him are satisfied with the guarantees that they have against his aggressive or inconvenient actions. The Kantian desideratum is satisfied of conditions under which the free will of one man can be united with the free will of another, in accordance with a general law of freedom.[1]

The Rousseauistic doctrine of the fusion of the *volonté de tous* into one *volonté générale* unduly ignores the problem of conflict and minorities, and this problem is not solved by the irritable exhortation, "compel them to be free". On the other hand, Hobbes exaggerates this "much displeasure" which man has in keeping company with man, and hence is brought to crush individuals into unity under the leaden cope of legal unification by the sovereign who "beareth the persons of them all". The result is the intimidation of wills naturally hostile into a desolate and surly peace. Neither sentimental organic fusion nor mechanical unification is satisfactory, although (paradoxically enough) Conservative thought, following

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[1] I. Kant: *Rechtslehre,* ed. Rosenkranz, p. 33: "Das Recht ist also der Inbegriff der Bedingungen, unter denen die Willkühr des Einen mit der Willkühr des Andern, nach einem allgemeinen Gesetze der Freiheit zusammen vereinigt werden kann."

Rousseau the Socialist, has always tended to the organic solution; and Liberal thought, following Hobbes the individualist, has tended to the mechanical solution. A better way (which for clarity of exposition may be called chemical) is excellently indicated by Tarde, when he writes, "Social action, of which social unity is the condition, tends essentially to accord, of which equilibrium is but an inferior form. . . . Political life, like economic life, is an alternation of balances upset, and then re-established under more ample and better forms. One would define the evolution of every set of political phenomena as a search for an equilibrium until it has been established . . . or rather as the progress from one equilibrium to another."[1]

The truth which Tarde here points out is of so obvious a nature that phraseology taken from the idea of balance and equilibrium is used almost as of course by political writers. Consonant with the traditions of Locke and Kant, it has in our own day been made explicitly the basis of systems of jurisprudence which go so far in their atomism as sometimes to neglect the complementary truth of the rôle of convention, which it will later be our business to discuss.[2] This balance of wills in systems or constellations, within which alone a conciliation of forces is possible, depends upon two factors—the strength of individual wills (due to intensity of stimulus, personal qualities, or to membership of sub-groups) and the setting provided by the structural environment within which the balance of wills takes place. The environment is a condition of the form assumed by the balance-system. This environment is physical. As Comte says: "All parts of the complex system work towards a common end, through the action and reaction of their parts on one another, and their cooperative activity upon the environment." But it is also social, in the sense that one factor in the establishment of any particular balance is the more permanent balance of a broader social system, which in relation to the more temporary or subordinate system is not transitional, but structural. The connection between a social balance and the environment is apparent where the physical environment conditions the conventions of a people and so their civilization, way of life, and social system[1]; or, on the other hand, where new inventions give a new control over nature and modify, as electricity has done, our fashion of life, or give new power to certain groups of men and shift, in the balance, the centre of gravity of power to them from others.

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[1] G. Tarde: *Les Transformations du Pouvoir*, pp. 179–80.

[2] M. Hauriou: *Principes de Droit public*, 1910, pp. 11, 20: "Les équilibres sociaux sont innombrables dans nos sociétés politiques modernes. . . . La politique doit être définie comme étant à la fois la science et l'art des équilibres de pouvoir."

The balance of power between States has long been a principle so established that the newer school has felt called upon to attack it, and to prophesy its abolition as the result of the war of 1914–18. As a diplomatic policy operating through compensating changes of territory, despite the Treaty of Berlin, it has been in disrepute since the rise of nationalism. But as a necessary adjustment in alliances with a view to preventing the dominance of any one or few nations, it must last so long as individuals continue to think of themselves as members of State groups or national groups. Even when States cease to think of themselves as facing each other "in the posture of gladiators", nations will be unwilling to take no precautions against the forcible imposition of an alien culture. After a victory by one association of powers, "if the equilibrium is to be restored, the balance unduly declined in a new direction by the decisive destruction or defeat of one group can only be weighted to its proper level by the distribution of the victorious powers between the two scales".[1]

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[1] J. L. Myres: *Dawn of Civilization*, p. 25: The homeless, baby-carrying hunters, "like the pastoral nomads, have found an equilibrium and have no history".

The doctrine of constitutional balance within the system, as distinct from environmental balance in the adaptation of the social system to its more permanent conditions, has been made famous by Locke and Montesquieu. Locke writes, "The commonwealth seems to me to be a society of men constituted only for the procuring, preserving, and advancing their own civil interests."[2] He then proceeds to safeguard these interests against the encroachment of the agents of the commonwealth by a clockwork system of checks and balances, which in practice can only lead to a deadlock and, clock-like, a stop. Locke's definition of "civil" interests is too narrow, and his balances are often rather artificial and ill-designed than natural. The true social balance is one which conforms to no doctrine, Whig or Tory, and is being re-struck from moment to moment by a reconciliation of men's actual powers and interests, although it may or may not be advisable to set up specific checking institutions to perpetuate so far as possible, by stabilizing, a particular balance. This balance is ever being struck afresh between groups in effect dominant, and groups in effect subordinate. And the stability of the balance varies with the extent to which those subordinate in fact find their wills baulked or accommodated by the new convention, and do or do not recognize their actual impotence to change that balance in fact and its formulation in a convention.[1]

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[1] A. J. Toynbee: *The World after the Peace Conference*, 1925, p. 11: "In a system of territorial Great Powers no permanent vacuum is possible." Also (p. 47): "If the equilibrium is to be restored, the balance unduly declined in a new direction by the decisive destruction or defeat of one group can only be weighted to its proper level by the distribution of victorious Powers between the two scales." Cf. Vattel on the *équilibre politique* (*Droit des Gens*, III, 48). I. Kant: *Idea of a Universal History* (trans. Hastie), 1891, p. 19: "A law of equilibrium is thus discovered for the regulation of the really wholesome antagonism of contiguous States as it springs up out of their freedom." D'Holbach also illustrates the notion of balance, although in a fashion confused by irrelevant considerations: "La balance du pouvoir entre les différentes puissances est la volonté générale qui les oblige à observer les loix de l'équité. Cette balance ou cette force est pour tous les États, ce que le gouvernement est pour un État particulier; comme lui cette balance peut devenir infidelle. La force ne donne des droits, que lorsqu'elle est fondée sur la justice" (*La Politique Naturelle*, 1773, I, p. 31).

[2] J. Locke: *Letter concerning Toleration*, *Works*, ed. 1812, VI, p. 10.

The constitutional balance is far more elaborate than the traditional balance of the three powers expounded, after Locke, by Montesquieu, Madison, and Bentham.[2] The disciples of Locke felt that the legislature itself required additional checks in the written constitution, which, in the American system, has been guarded since Marshall by the judiciary, but for which the framers of the French constitution of 1791 attempted specifically to provide[3] by their declaration that there were certain laws which the legislative power could not make. Ever since Hotman the idea of the constitutional balance between king, nobility, and people has been a commonplace, and during the Middle Ages, even if there was no clear notion of a constitutional concord on the basis of balance, the cruder rivalry of feudal units determined the conduct of the Royal executive, and the possibility of the administration of justice in accordance with a single law.[4]

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[1] E. Durkheim: *De la Division du Travail social*, 1922, Introduction, p. iii. "Mais si le vaincu peut se résigner pour un temps à une subordination qu'il est constraint à subir, il ne la consent pas, et, par conséquent, elle ne saurait constituer un équilibre stable."

[2] J. Locke: *Second Treatise on Civil Government*, ch. xii; J. Bentham: *Fragment on Government*, ed. 1891, III, p. 183. Patrick Henry, in Elliot's *Debates in the Federal Constitution, Virginia*, 1788, p. 164: "To me it appears that there is no check in that" (Federal) "government. . . . Tell me not of checks on paper; but tell me of checks founded on self-love. The English Government is founded on self-love. . . . There is your rock of salvation? The real rock of political salvation is self-love, perpetuated from age to age in every human breast and manifested in every action."

[3] Tit. i, sect. 3.

[4] W. Stubbs: *Constitutional History*, ed. 1896, ii, p. 166: "The idea of a constitution in which each class of society should, as soon as it was fitted for the trust, be admitted to a share of power and control, and in

The medieval balance is between social, rather than national, culture groups. Sometimes the whole was held together by a strong exercise of force against the most centrifugal groups; at other times an adjustment, readily conventionalized, was possible. From age to age the appropriate conventions vary which maintain the individuals or groups in a social unity.[1] But when a balance of any permanence is struck, this balance is soon recognized as stable, and by general recognition is stabilized, in the form of a convention. Where change in the central relations of the units persists, no convention is possible. And where order is only maintained from day to day by a strong exercise of force over the recalcitrant wills of others, that decline of conscious resistance and that stabilization which precedes general recognition and the growth of a convention are impossible. Billiard balls, which are violently grasped, will not lie together in the hand, but fly apart. Strong self-assertiveness in individuals or groups will require strong measures by the dominant groups to subdue it, and the atomic balance reached will be one of high tension centring round the victorious party.[2] On the one hand, government will be represented

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which national action should be determined by the balance maintained between the forces thus combined, never perhaps presented itself to the mind of any medieval politician. . . . Yet in the long run this has been the ideal towards which the healthy development of national life in Europe has constantly tended." The notion of check on the Royal power is, of course, common enough (cf. Fortescue: *On the Government of England*, about the power *regale et politicum*). The feudal oath, whereby *tantum dominus tenenti tantum tenens domino praeter solam reverentiam* (Bracton, ii, 35), is the very foundation in fact of the entire theory of contract and balance.

[1] H. Spencer: *Social Statics*, 1893, pp. 241, 252: "Contrasted as are their units, primitive communities and advanced ones must differ essentially in the principles of their structure. . . . These changes are brought about by a power above individual wills. Incongruity between character and institutions is the disturbing force, and a revolution is the act of restoring equilibrium."

[2] V. Pareto: *Traité de sociologie générale*, II, p. 1682: "Il en est de même pour les diverses classes sociales. La position d'équilibre est différente suivant que l'usage de la force joue un rôle plus ou moins grand."

as an evil, and it is emphasized that its authority, even when recognized, yet remains the will of a group to execute their will in government. On the other hand, authority will be represented as requiring the use of force, and (as by Machiavelli) as entitled to override, in the efficient exercise of its function, every conventional restriction, both legal and conscientious.[1]

The balance to be thought of can better be conceived as the balance of chemical constituents in a healthy body, or, more precisely, as the balance of atoms in a chemical molecule, than as a purely mechanical balance. The atoms do not fuse into one indissoluble and unitary mass. But the wills constitute more than a chemical mixture. Each cannot get what he wants, but only what is possible in the circumstances. And to get even this he must conduct himself in a certain fashion dictated by relations to others in an interlocking system. In certain situations that system will act as an entity, or group-will, as against, or in relation to, those not part of the interlocking system. The conditions of relationship, which in fact perpetuate this system, may be recognized to be such, and by mental appropriation, as has been earlier said, become conventions. The endeavour to formulate a convention before the balance of actual wills has in fact been struck is the essence of doctrinairism; reluctance to formulate and a pragmatic method lead to what the Anglo-Saxon calls "muddling through". The balance remains stable so long as every one of the effectively dominant group continues to find this system yield more advantage in cooperation than in non-cooperation. The convention which recognizes may, however, also outlast the original distribution of factors conducing to the balance of forces, and may itself become the chief (emotional) factor in perpetuating the balance. Where the convention is traditionally firm, but owing to a shift of power among the constituents the pull of present interests against the balance is strong, the disruption of the convention, being unusually long delayed, will be unusually violent. The measure of violence will be the measure of the removal of the conventional situation from the actual situation, taken in relation to the determination of the group interested in maintaining the convention.[1]

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[1] T. Paine: *Common Sense, ad init.*: "Society is produced by our wants and government by our wickedness. Society is in every state a blessing; government, even in its best state, but a necessary evil." W. Godwin: *Political Justice*, p. 201: "The object principally to be aimed at is that we should have as little of it as the general peace of human society will permit." James Mill: *Essays*, n.d., p. 20: "We have seen that, unless the people hold in their own hands an effectual power of control on the acts of the Government, the Government will be inevitably vicious." H. Spencer: *The Man versus the State*, 1884, p. 45: "Be it or be it not true that Man is shapen in iniquity and conceived in sin, it is unquestionably true that government is begotten in agression and by aggression." Cf. C. Gini: "Scientific Basis of Fascism", *Political Science Quarterly*, March 1927: "one other conclusion may be drawn by many from the foregoing considerations to the effect that, in the last analysis, force is what determines a political party's tenure of power".

The transition from one system of balance to another will only be smooth, where the balance easily changes owing to the even distribution of power over the whole system, instead of there being high tension maintained by the interest of one group, and where the ideal convention readily moves with the actual balance. Otherwise the position of authority is artificial, and is followed by a sudden collapse, peaceful or revolutionary according to the strength of interest and fighting chances of the group behind authority.

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[1] H. Spencer: *Social Statics*, 1893, p. 251: "Stating the matter mechanically, we may say that, as in proportion to their unfitness for associated life the framework within which men are restrained must be strong, so must the efforts to break up that framework, when it is no longer fit, be convulsive." G. Durkheim: *Les Régles de la Méthode sociologique*, 1912, p. 87: "S'ils étaient trop forts, ils ne seraient plus plastiques. Tout arrangement, en effet, est un obstacle au réarrangement et cela d'autant plus que l'arrangement primitif est plus solide." B. Russell (in *Nation's Business*, March, 1928): "There must be social conventions, and they must change from time to time. The problem is, to make them sufficiently strong for the necessities of social cohesion without making them so strong that they cannot be changed except by generating huge forces of violence and disruption." The condition of stable adaptation is that described by Lincoln as given by a form of government "not too strong for the liberties of its people", yet "strong enough to maintain its existence in great emergencies".

Oscillation of Balance. The political balance may be upset when those in control over-exercise authority in order to fulfil their own policy and wills. But it may also be upset, without any change towards severity in the method of rule, by the prospect, under new environmental conditions, of striking a better political bargain, or, thanks to the stimulus of education, by a heightened standard of demand. A baronage strong in local power, a wealthy class,[1] pioneers and frontiersmen, are in a strong position as political consumers, and strong bargainers against authority. The balance is struck accordingly. As for the "lower classes", if they rebel the result will nevertheless be, as in 1381, that *les vilains n'ont rien obtenu.* But a change of conditions may put some new class into the position of being strong bargainers. When the horseman superseded the man with the battle-axe, the ceorl fell in the social scale, and with the long-bow the common-folk of England rose in importance. The power of the knighthood fell before the King with the improvement of artillery. Landed wealth gave way to a gold-economy and to the power of the merchant. Particularly is it the case that unforeseen changes affecting men's political bargaining power, such as the increased importance of the cooperation of the manual worker in a highly organized industrial civilization, are likely, because for long inadequately understood, to work the profoundest revolutions. Economic changes which increase the wealth of the subordinate ranks and their ability to protect themselves, tales of other standards of life elsewhere, diffusion of ideas about human liberty, a keener appreciation of individual and social interests, and a more ambitious range of wishes and of objects wished for, such as may be advertised by education, all disturb the conditions under which a political balance has been reached, and render the old conventions maladjusted to the new times and difficult to maintain.

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[1] T. Veblen: *Theory of the Leisure Class*, ed. 1895, p. 199: "The members of the wealthy class do not yield to the demand for innovation as readily as other men because they are not constrained to do so."

For this reason, revolution usually comes, not at the nadir of the fortunes of the subordinate classes, but when improved conditions have given them larger demands, better chance of organizing, and better bargaining power. The poor are not revolutionary, unless encouraged by the prospect of mass-action, since the profounder psychological force of fear of insecurity cancels that of resentment and adventure when action is considered. When, however, the centre of gravity of power shifts decisively, owing to some change affecting a whole civilization, or when, as in a civilization closely dependent upon industrial and scientific invention, conventions change rapidly without having a heavy weight of habit to render them inert, revolutions can take place peacefully and without resistance. In the first instance, the interests of all are driven to a new social order; in the second instance, no vested interests have grown up based on the assumption that the conventions will retain a constant valuation. Thus the whole social system in America is, for the immediate present, sufficiently in a state of flux, and even wealthy men so little make up a "class" with class prestige that the pressure which would make for violence elsewhere has, racial issues apart, little to gather force against. The social tension is low and the vortex of the balanced atoms shifts without difficulty; the strain is put on the relation between the individual and the physical and economic environment. "The administration of things" overshadows "the rule of men".

The balance of the social system will be maintained so long as there is passive acquiescence of all the members who do not actively cooperate, but the balance can only be regarded as stable and chemically cohesive to the extent to which active cooperation prevails.[1] The task of maintaining this balance may be argued to be the work of a Government. The difficulty can, however, be immediately raised of how a Government which is itself within the balanced system can itself maintain the balance. Is the balance automatically set up, or is it altered from without? If conventions are based upon a consensus of wills, who can so alter them that there is less tension or friction? How can a single unit alter the distribution of units?

Maintenance of Change and Balance. The answer must be that the balance, like the balance of economic exchange, is altered (physical changes and inventions apart) entirely from within. But certain units or groups within the system are highly interested in the maintenance of given systems of balance. As a consequence a certain type of government will result from the "social equation".[2] Not even a benevolent despot can be completely above party and faction, and detached from the rivalry of interests; his will is related to those of others. Social coordination is not due to some separate and isolated force, brought into being by a divine fiat, and, under the title of constituted authority, as exalted above curious inquiry as the sacred law of Moses. The scholastic doctrine of a social order divinely authorized, because dictated by immanent reason, is sounder. The theory of authority of Hobbes, Bentham, and Austin is valid against those who imagine that authority ceases to be such when it ceases to do that which is good in the eyes of those who consider themselves righteous or God's elect. On the contrary, it has power, and is able to maintain order and, as such, deserves respect.[1] But when Hobbes endeavours to superimpose on the dictates of interest an absolute sovereign with an (almost) unmitigated right to obedience, in his attempt to rebut such a charge as Clarendon's that the doctrine of self-interest is the "seed of sedition", he falls into contradiction. Authority reposes, as Hume said, on opinion,[2] on the actual wills, that is, of those over whom authority is exercised. Even a Gelo of Syracuse or a Nero, a Henry VIII or a Louis XIV, an Attila or a Jenghiz Khan have their rule based on the active cooperation of some and the passive acquiescence of many. We have in politics no external authority given us, no fulcrum or lever outside the political world, any more than we have a state of nature, a supramundane Garden of Eden, from which men step into civil society. Absolute sovereignty is but another "natural right", and is a piece of political mythology, a making transcendental what is immanent. To it applies the remark of the Chinese sage, "Never substantialize that which does not exist." The sovereignty of a Government (or of a State expressed through a Government) is absolute to the extent to which the maintenance of the political balance permits it to be absolute. If carried too far, exchange will break down because the balance of advantage in liberty through security has been lost.

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[1] F. Giddings quoted *supra*, p. 123.

[2] H. J. Laski: *Grammar of Politics*, 1925, p. 249: "We infer . . . what, in the modern social equation, a Government is likely to be . . ." (p. 248). "The State . . . is building, not an ultimate unity, but necessary unities, of conduct; it is finding minimal adjustments in behaviour." The complement of this truth, with its note of intellectualism and of "government by discussion", is stated by the godfather of Fascism, Vilfredo Pareto: "La grande erreur de l'époque actuelle est de croire qu'on peut gouverner les hommes par le pur raisonnement, sans faire usage de la force, qui est au contraire le fondement de toute organisation sociale. Il est même curieux d'observer que l'antipathie de la bourgeoisie contemporaine contre la force aboutit à laisser le champ libre à la violence" (*Manuel d'Economie politique*, p. 134). The technical merit of Fascismo is that it appeals, as usually only war does, both to the conservative and to the adventurous elements in man, to his desire for discipline, for being ordered and led—every man, as every woman, occasionally likes an emotional surrender of responsibility—to his self-abasing (masochistic) and his self-asserting (or even sadistic) impulses.

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[1] B. de Spinoza: *Tractatus Politicus*, ch. iii: "adeo unusquisque civis seu subditus tanto minus iuris habet, quanto ipsa Civitas ipso potentior est. . . . Ratio omnino docet pacem quaerere, quae quidem obtineri nequit, nisi communia Civitatis iura inviolata serventur." That reason and justice dictate a social order such that every man is able to realize his own excellence (but in such a fashion as is not contrary to the idea of virtue of those who are also able to guarantee by their greater power that peace which is the condition of virtue) is here incomparably set forth. Cf. also *ibid.*: *Ethics*, pt. iv, prop. 73. Cf. J. Bentham: *Principles of Morals and Legislation*, ed. 1876, p. 18 n.: "The fairest and openest of them all" (those who argue from subjective conviction) "is that sort of man who speaks out, and says, I am of the number of the Elect: now God Himself takes care to inform the Elect what is right; and that with so good effect, and let them strive ever so, they cannot help not only knowing it, but practising it. If, therefore, a man wants to know what is right and what is wrong, he has nothing to do but to come to me."

[2] D. Hume: *Essays*, Pt. I, iv: "government is founded on opinion". Cf. H. J. Laski: *Grammar of Politics*, p. 227: "an order based on compulsion can never permanently maintain itself"—a statement true if taken in the above context.

A powerful group or a great man is not therefore impotent—a mere cork bobbing in the stream. Each is in relation with each. The Catholic Church or a Frederick the Great or a Peter the Great may do much to mould the wills of those with whom there is a control-relation, and hence to alter the balance. The great man is such because he knows better than others how to win support, not because he ignores support. He is impotent to alter conventions and political currents against the main course of history, tradition, public support. He is able to alter the balance because the balanced atoms or groups themselves happen historically to be in a state of tension, capable of being disturbed and reformed by the intelligent action of his own will and group.[1] The movement of the political market is ready for turning. The administrator alters the balance, not from without, like some transcendental machine, but from within, by being more powerful than the resistant forces. If these forces are organized or strong, he will need, as did the Tudors, much and determined support: the problem is one of "the rule of men". If the balance is one of extreme tension, a little resolute group, such as Lenin and his band, will be sufficient to upset it, if not to reestablish it. If the balance is stable but delicate, delicate adjustments, small but repeated, intelligently aligning wills in a parallel fashion and averting head-on opposition, may be made by the administrator, who consolidates the support gained by each adjustment made without grave friction as credit to use for undertaking the next manipulation of convention. The task is one of scientific administration.

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[1] H. Spencer: *Social Statics*, 1893, p. 126: "Only by the process of adaptation itself can be produced that character which makes social equilibrium spontaneous. And hence, while process is going on, an instrumentality must be employed, first, to band men into the social state, and, secondly, to check all contact endangering the existence of that state." Spencer here seems to contemplate a goal in philosophic anarchy, ignoring the principle of contract, and to treat the measures of Government as the measure of force (apparently working *ab extra*) provisionally required owing, as the Church Fathers and early Schoolmen put it, to our (abnormal)

The moral factor in practical politics lies in this—that only those inspired by some vivid interest are likely to possess a sufficiently strong principle of cohesion to hold them together as a group, and to enable this group to force its way to a strategic position. Moreover, only if this interest is grounded upon a rational ethic is it likely to have those social qualities which will enable the convention established by the dominant group to become ultimately acceptable to others and established. A mere detached appreciation of the balance of forces, although a qualification in the administrator in times of general contentment, is not sufficient to ensure that a policy will be successful. Besides a manipulation and balancing of groups, we require a constructive enthusiasm, which

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condition of sin. Professor Hobhouse expresses the idea in a more valuable fashion when he says (*Elements of Social Justice*, p. 46): "He who removes one cause of conflict without exciting another opens a new opportunity without closing an old one, lifts the weight of a repression without weakening respect for law, enlarges the scope of harmony, however far he may be from realizing all its conditions."

is able to confront with vigour the vigour of opposition, and a rational scheme, which is able to offer harmony in lieu of unintelligent and wasteful social conflicts.

Law. A convention is the formulation of a balance of wills which has been struck and stabilized. Not only is it a system of relations; it is a system of relations recognized as being stable, appropriated by the individual as a habit of conduct, and by this appropriation in habit tending still further to stabilize the experimentally satisfactory relationship.[1] It is a rate of exchange becoming acknowledged as a fair price. For the individual a convention is an experiment in social relations stabilized as a method. For a group of individuals it is a system of relations set up by each acting in accordance with this method.[2] Instead of individuals finding themselves in balance, they so act as to maintain this balance. A convention is the perpetuation of an actual balance, thanks to a method adapted to maintain this balance being socially practised. It argues a degree of habituation and "learning" instead of the mere social fact of equilibrium. It is, moreover, possible for the convention to become detached from the actual system of balance of wills.

A convention, as the conscious perpetuation of a system of relationships, impressed upon the individual, not only by the direct stimulus of experience, but by the indirect stimulus of tradition, is the matrix of law. The social balance is in the interest of all whose wills are facilitated: it is therefore maintained by a concurrence of power. The convention, as the formulation of this balance, has also interest and power behind it.[1] It is a social fact which, when crossed, is resistant, and is not easily changed or thrust on one side. So far, however, as it is not only passively powerful (as in the case of the tradition of some cultural society) to those who would change it, but men find that the collective interest is served by overruling others to bring them into accord with it, this convention acquires a sanction in the wills of those who maintain the system of balance which it perpetuates. Such active convention is more than custom; it is of the nature of law, of which sanction is of the essence—and by "sanction" is meant that something assuredly "goes wrong" if the need for taking the law into account is disregarded.

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[1] Otto Gierke: "Die Grundbegriffe des Staatsrechts und die neuesten Staatsrechtstheorien", in *Zeitschrift für d. ges. Staatswissenschaft,* XXX, p. 311: "Einmal zeigt es sich, dass es in der That zwei verschiedene Geisteskräfte der Menschheit sind, die den Staat und das Recht hervortreiben. Denn jener ist der Niederschlag des allgemeinen Willens, das Recht aber ist der Ausfluss des allgemeinen Bewusstseins." A study is needed of how far laws (e.g. against religious or moral criticism and advocacy) which do not commend the general support of current opinion *ought* to be obeyed.

[2] Montesquieu: *De l'Esprit des Lois, ad init.*: "Les lois, dans la signification la plus étendue, sont les rapports nécessaires qui dérivent de la nature des choses." Cf. Vinogradoff: *Historical Jurisprudence,* I, p. 52: Law is "a set of rules directing the relation and conduct of their members".

An important convention will require a large measure of will-energy for its maintenance. In so far as certain people devote a significant proportion of their lives and of their activities to the maintenance of this convention (such as a religious or matrimonial convention), they, in relation to it and each other, are said to constitute an institution.[2] Married couples constitute the institution of monogamous marriage, while monogamy is a convention, and action contrary to it is contrary to the conventions. A clergy constitute the institution of an ecclesiastical hierarchy; whereas the faithful constitute that group called a Church, kept in a condition of organization by the clergy or officers. This amount of energy on the part of specific persons is, however, usually to be found where resistance is being met with and sanctions applied. To maintain the convention, e.g. a particular rule, a specific organization, such as a tribal court, is required which is an institution adapted to the application of sanctions. Confronted with opposition the convention incarnates itself in an active institution, which institution again is frequently obliged to adopt an *ad hoc* organization for the maintenance of the convention.[1] By the time that custom is not only passive but active, and has not only a general sanction, but institutions (such as monarchies, law courts, and the like) to apply this sanction effectively, custom has definitely changed over into law.

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[1] H. Preuss: *Gemeinde, Staat, Reich*, 1889, pp. 205–6: "From the fact alone that two men live beside each other arises the necessity of a limitation, under some form, of their spheres of will as regards each other, and from this necessity arises the idea of law." Stammler (*Idea of Justice*, Eng. trans. 1902, p. 152) does not express this so clearly when he speaks of "a universal element of legal propositions" being "the idea of adjusting the individual desire to the purpose of the community". Cf. T. Hobbes: *Leviathan*, *Works*, Eng. ed., III, p. 138 ("in such manner as they might not hurt, but assist one another"); J. Locke: *Second Treatise of Civil Government*, i, par. 57 ("not to abolish or restrain, but to preserve or enlarge freedom"); H. J. Laski: *Grammar of Politics*, p. 276 ("the satisfaction of human wants").

[2] *Vide* discussion *supra*, p. 88.

Governments hence arise (and by a State is to be understood the people in an area of civil Government in so far as they are institutionally organized for that Government's maintenance) as particular institutions for giving sanction to custom, and as sources of law, which is sanctioned custom. Each stage, from vague tribal organization to modern legislative, judicial, and police institutions, is a stage forward in the sanctioning of convention. The State-as-institution operating through the Government (i.e. the State-Institution or organizing agency, as distinct from the State-Group or organized body) is at once an instrument for the more effective enforcement of preexistent convention, and a source of that convention at a further stage of precision and sanction. All law, however, traces back to preexistent convention, or is a skilful anticipation of convention in the process of formation or of convention capable, under administrative manipulations, of being formed. And law and convention alike trace back to, and are conditioned by, the system of the balance of power and wills. They may be detached from it, but from it they derive their vitality and force. The institutions, such as Governments, do not maintain obedience to the law, which results from the law-abiding wills of individuals,[1] but render conventions effective against transgressors.

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[1] Despite the existence of the canon law, R. von Ihering (*Recht als Zweck*, trans. Husik, p. 380) arbitrarily limits this compulsive force, expressing itself through an institution, to the working of the State. "Law is the sum of the conditions of social life in the widest sense of the term, as secured by the power of the State through the means of external compulsion."

Law, as a species of convention, being convention enforced by recognized authority, is the expression of that balance and mutual limitation of wills which has been found, granted that power is distributed between the units in a given fashion, to be most feasible. It is the formula of the equilibration of wills,[2] thanks to which each will get, grossly, the maximum of rights to which his power, and the recognition of the desirability of his particular wishes by the wills and power of his fellows, entitles him. It is enforced by the strength of those interested in maintaining this equilibrium against whomsoever he may be who would disturb it. That it will be enforced against the transgressor is the value of authority (and, specifically, of a recognized institutional authority) to the supporter of the convention. The highest of these constituted authorities in a given field of control is the *summa potestas* or sovereign, which, however, is such only in terms of the convention and balance of wills upon which its claim to allegiance is based. The relation between the various *imperia* or means of control depends upon the nature of the conventional system, which these institutions exist, as instruments, in order to render more effective. The value of constituted authority as effective represser of transgression is made of personal interest to the individual to the extent that he has a claim upon authority to maintain his will in so far as his will is legal and in accordance with convention. This claim is a *right*; and rights, as distinct from powers, are such powers against another as have a claim to enforcement by authority.[1] Rights are always against an individual or group, but involve claims upon, e.g. the State. They are the rewards, the goods or wages, in the shape of security and facilities, which authority offers.[2] But if authority is to be maintained, it requires the assistance of those who benefit from it, and may declare its requirements as a command.[1] These claims of authority against the individual are for the performance of *duties*. All rights of the individual are in one sense rights against authority—that is, claims on it. If the specific authority, e.g. a Government, declines to honour this claim on its assistance against the law-breaker it cannot always be forced to do so. In this sense rights against the Government for the enforcement of a convention against itself are not so generally effective as are civil contracts. But if authority does not honour rights by assisting in their maintenance, the obvious advantage is decreased which the individual has in turn of honouring, even apart from specific command, his obligations of duty. The balance shifts, a new convention emerges, and the old institutional authority changes or is changed.

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[1] The priority of law to the law-giver is the essence of the doctrine of the natural rights school, whether the older rationalists or such intuitionalist writers as Dr. Krabbe (*Idea of the Modern State*, 1919), as against the doctrine of Bodin (*De Rep*., i, par. 8), Hobbes, and Austin. But, less wise than Hobbes with his social contract of individuals or than Spinoza, natural rights theorists either tend to suppose an unproven general principle, as distinct from an empirical balance, of right or to compromise their whole position by illogically admitting an absolute right in the majority. *Vide infra*, p. 263. Natural law, as explained later, would appear to be most satisfactorily restated in the form of sociological law. The position taken here in the text is that of Duguit. "Organization will give the coercion greater force, but will not create it; it will strengthen the rule of law, it will even assure a definite respect for it. But it will not create this rule of law, which existed not only before the organization of the coercion which is its sanction, but even before men were conscious of the coercion, from the simple fact that men live in society" (Duguit: *L'État*, Eng. trans., p. 317). The basis, however, of law, if it is not State or institution, is also not custom or opinion, but will and force. "Force produces law immediately out of itself, and as a measure of itself, law evolving as the politics of force" (R. von Ihering: *Der Zweck im Recht*, I, p. 366; Eng. trans., p. 187).

[2] L. Duguit: *Traité de Droit constitutionnel*, I, p. 195: "Toute règle de droit est une norme des volontés." Cf. J. G. Fichte: *Science of Rights*, trans. Kroeger, p. 172 ff.: "Deduction of an Equilibrium of Rights."

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[1] "Rights", says von Ihering (*Geist des römischen Rechts*, IV, p. 326) "are interests juridically protected." As, however, Duguit, in this respect following Jellinek and Windscheid, has pointed out, the stress must be placed upon the word "protected" (*Traité*, I, pp. 181, 195 ff.). Holland (*Jurisprudence*, 12th ed., p. 81) supplies a happy definition: "A right . . . is one man's capacity of influencing the acts of another by means, not of his own strength, but of the opinion or the force of society."

[2] G. Jellinek: *Allgemeine Staatslehre*, 1900, p. 306: "It is not, then, coercion, but guaranty, of which coercion is only one method, which is the essential mark of the idea of law. The rules of law are not so much rules of coercion as guaranteed norms."

The Majority or Stronger as Law-maker. The social balance is a balance of all units, none of which is negligible, as well as of the whole society with other societies, and in relation to the environment. But the balance may be struck, with more or with less compromise, in general accordance with the will of a dominant group. The ensuing convention, and the social methods inculcated in individuals, will be generally consonant with the will of this group, and may be quite other than the convention which a minority group, consulting only its own will and ideals, would have reached. There is no difficulty in authority's honouring those claims for the execution of private wishes which do not in fact conflict with the wills of other normal persons. In the interests, not of this or that individual, but of the mass the social organization would protect these rights anyhow against aggressors. The more difficult case is where there is not a complete parallelism of normal wills traversed by the oblique conduct of the recognized criminal, but where the wills of individuals or groups who are yet contributing supporters of authority are themselves divergent. Here the element of the power of the respective groups, or of individuals who can count upon supporting resources, enters in. This is generally expressed by liberal theorists by saying that the expedience of a single rule and the demands of social order render the acceptance of a majority decision socially inevitable or desirable.[1] The statement, however, of this opinion usually indicates that the writers in question have in the foreground of their minds either, as Locke, the clear-cut alignment of "people" against "court" or, as Rousseau and Krabbe, of "people" against an egoistic minority,[2] or the workings of the two-party system. As Lord Bryce has pointed out, democratic government is impossible unless there is such a common interest in, and agreement upon, fundamentals that citizens are prepared to accept the chances of majority decisions on other matters for the sake of maintaining this unity.[3]

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[1] Clearly Austin is, then, wrong in following Bentham and limiting duty to the correlative of command (J. Austin: *Lectures on Jurisprudence*, 1873, p. 91—but limited on p. 457 to "legal duty"; J. Bentham: *Fragment on Government*, ed. 1891, pp. 139, 234). A political duty exists to maintain in every way that authority by which we are endowed with rights, to paraphrase Hobbes.

The right of the active majority—or a minority actively controlling a passive majority—is based upon the assumption that it is better able to preserve social stability than any minority without majority influence. Perfect stability involves unanimity. But the medieval political principle of unanimity (found in the old Polish constitution, and still unfortunately found in certain international bodies as well as in a criminal jury to-day) had to be abandoned for the purposes of constructive administration, because it supposes a preestablished harmony of wills in terms of reason which is not borne out by experience. Men differ in their intuitive premises about what is rational.[1] The majority principle, then, in so far as it is the most effective guarantee of social order, which is the object of social organization, has to be accepted as the principle of authority. The minority may, in a dispute, be abstractly in the right. But if they were put into power they could not, in effect, retain power and exercise control.[2] Hence their duty is to obey those who are wrong until they have shown them that their error does not make for order. It is not, however, always the case that the majority are the more closely organized, or in the more advantageous position for exercising control. Although the majority may, to avoid disturbance, be conventionally accepted as having the decisive voice, the underlying assumption is that, in a struggle, and in the long run, when the balance was again stabilized, it would always prove the stronger and weightier part.[1] An oligarchy, however, such as the Venetian, may succeed in maintaining a very stable form of government. Again, a minority may find that the most effective means of educating a Government about its errors is by passive or active resistance, and by causing that pain without which there is no progress. And by these methods it may render it in the interest of the less determined majority to agree with the more determined and cohesive minority.

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[1] H. Krabbe: *Modern Idea of the State* (Eng. trans.), 1919–21, p. 74: "The solution of this difficulty, then, must be sought elsewhere, and is really to be found by bearing in mind the fact emphasized above, that the law is the rule of the community. It follows from this that the law cannot include rules which are mutually contradictory. The purpose of a community can be realized only if there is a single rule."

[2] For these writers, as Herodas remarked long ago, "In democracies the majority is taken for the whole."

[3] Cf. G. Jellinek: *The Rights of Minorities* (trans. Baty), p. 23: "All these propositions rest on the doctrine that the people politically form a domestic unity. . . . When this unity does not exist, the majority principle, founded on a mere counting of heads, cannot be carried on."

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[1] There is such a thing as "public spirit", but it does not seem possible to discover any specific public spirit or "general will", as Rousseau taught, actually present as the real will of each individual in the community. Nor can one agree with Hegel that, whatever may be the extent of its actual recognition, a single idea of the society or state really exists and can be apprehended by everyone of sound reasoning. Both between societies and within them it seems to me that there may be many such ideas or ideals. We are concerned, in specific societies, with ἡ ἐκ τῶν ὑποκειμένων ἀρίστη, about which there may be legitimate differences of opinion. And thus, although "the one sole pre-requisite is justice" for "a state of equilibrium" (L. Bourgeois: *Essai d'une Philosophie de la Solidarité*, p. 8), justice, as Aristotle said long ago, is relative to the constitution. And as to desirable constitutions again, there may be legitimate differences of opinion, which are not susceptible of being argued into harmony by the application of the law of contradiction, because they start from different premises in experience. Hence, as explained elsewhere, I am unable to agree with Professor Hobhouse's doctrine of the Rational Good. Vide *The Science and Method of Politics* (1927), p. 314 *ff.*, and *infra*, p. 344, and my article on "Is Politics a Branch of Ethics?" (*Monist*, July 1927).

[2] The scholastic statement of this position will be found in St. Thomas Aquinas (*Summa Theologica*, II, 2, qu. xlii, art. 2): "Et ideo perturbatio huius regiminis (tyrannici) non habet rationem seditionis; nisi forte quando sic inordinate perturbatur tyranni regimen, quod multitudo subiecta maius detrimentum patitur ex perturbatione consequenti quam ex tyranni regimine."

The problem of the relation of the majority, or of authority, to a minority, or to a recalcitrant group, is one of the most vexed problems in politics. The possible courses appear to be to eliminate minority opinion by force or education; to acknowledge the right of the more powerful to rule either by force or by adjustment and consultation; to acknowledge the right of the numerical majority or some other numerical percentage; or to acknowledge the right of some group, whether minority or majority, distinguished by some such quality as wisdom, ability, or wealth. Of these courses, the first, repression physical or psychological, can only conduce to a condition of strain leading to a break-up of the system, or a delayed, and hence violent, disturbance by pent forces struggling against *de facto* authority, unless repression takes the form of physical extermination.[2] The recalcitrant members remain parts of the system, but centrifugal parts. Government by a qualified group—the last course suggested—is government by a group which is able to hold power by support, gained by all means ranging from immediate force to the steady recognition by their fellows that their qualifications render them suitable for the task of administration. The problem of the basis of government is thus but thrust back upon the question of ultimate support. The issue between government by majority and government by the more powerful, "the weightier part", depends upon whether the numerical majority must in the long run prove to be the more permanently powerful, and hence to consist of those best fitted to assume the responsibility of government, because most able to maintain that social order which is the object of social organization. If all men were equal, or if government were only possible if all men believed themselves to have an equal share, then only majority government (overriding the "equal shares" of the minority as a practical expedient) would be feasible. In fact, however, as we hope to show in the next chapter, the political balance is not solely a balance of individual atoms, but also a balance of groups of various volumes and weights, themselves being composed of organizations, closer or laxer, of individuals. And law is sanctioned convention formulated in terms of such a balance. The issue is, indeed, not as a rule between active majority and active minority, but between two active groups, both numerical minorities. That group has a claim, in the interests of social stability, to give the law and settle the convention which is able to sway the passive majority.

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[1] Cf. Marsiglio: *Defensor Pacis*, as quoted *supra*, p. 117.

[2] *Vide supra*, p. 116.

Support. In so far as this transfer of support from one security-producing authority to another takes place by the acts of individuals, it is not only quantitative, but admits of actual measurement. Wherever wills clash concerning which shall establish a control system over third persons, it is seldom difficult to give a rough estimate of the body of support behind each of the contestants; and even, when previous declarations of opinion have enabled this support to be gauged on previous occasions, to make a forecast, with a high degree of probability, about which will win on the issue in question.[1]

These estimates of support can, however, frequently only be made in general terms of "greater" and "less", and forecasts of demand and supply on the political market must be equally general. Just as in the field of economics a money economy has only become general recently and even now has little place in the thousand and one business transactions among members of a household, and breaks down in time of social crisis, so in the field of politics no system which permits of precise assessment exists throughout the whole field of political acts. In many cases, such as that of peoples under autocratic or dictatorial government, only a very vague estimate is possible of the real strength of support and of opposition. Demand is taking place in a heavily controlled market, and the goods of security are trucked without its being very clear what demand there is for them in this or that form. If supporters or opposition are permitted to declare their numerical strength, the demonstration is so manipulated that, like a tampered currency, it misleads rather than guides us to a just estimate of the real value attached to the Government. This very matter of the artificiality of support is one of the most serious objections to autocratic rule. Only when the principle of responsibility is established is it possible to detect the precise measure of support which a given group, identified with certain measures and held accountable for them, is receiving. A system involving responsibility to an opinion expressed by voting alone provides an adequate means of measuring support. Only in the more settled and formal political fields do we find the support of men being measured exactly by a standard system with standard units.[1] We find, however, such a system, the political equivalent of money, in the vote. And the most customary standard unit is the democratic "one-man" unit, although community voting, status voting, and the like are not uncommon. Here, then, to some limited extent in the business and industrial fields, but conspicuously in the fields of national and municipal politics, in those cases where the figures are available and have been collected, it is possible very precisely to study the fluctuations of support from one political group to another, and frequently, although less certainly, to note what each of these groups had to offer when bidding for support.

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[1] Professor Pigou (*Economics of Welfare*, 1920, p. 11) makes "accessibility to a money measure" the test of what constitutes the subject-matter of economic science. In parallel fashion I would suggest "accessibility to measurement in terms of personal support", as the test of political data. Politics is concerned with the operations and fluctuations of will and practical opinion, not with true ideas as such.

The "vote" is, of course, an artificial measure; it is token-money. It stands for one conventional unit of "support". Essentially it is "support" which is the basis of political barter. A project of control which is felt to advance liberty without a disadvantageous payment in restrictions to obtain and maintain it, by the task of organization, enactment of general law, enforcement of the law and other processes incidental to the "manufacture" of control, will command so many more units of support, whether in a family council, a transaction involving need of support in everyday life, or a national election, than a project which is felt to involve a disproportionate loss. It is just here that the wordy battle is being fought between Individualism and Socialism. The Individualist, like a "bear", speculates in less law in the hope that it will leave a favourable balance of liberty by reducing restrictions; the Socialist, like a "bull", speculates in more law in the hope that it will also leave a favourable balance of liberty, but by increase of security (meaning by "security" guaranteed facilitation by mutual cooperation of wills against restraint).

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[1] Cf. the remark of Ricardo expressing his recognition of the "objections which have been brought against all those" (economic) "measures of value hitherto proposed".

Economically, in a single act of barter no standard of price is set up nor a market constituted. One ox-hide will procure a heap of wheat. No competitive price is fixed in the single transaction. So in politics, in a single act of control, one will prevails over another. But prolong and refine the transaction and we pass beyond economic valuation by mere greater urgency of economic need—a birthright for a mess of pottage—or political valuation by mere superiority of physique or personality. Quantity enters in. One hide is worth three bushels. So the one man can register for his cause ten votes, the other only five. The "vote", the "lance" or "sword", the "unit" matters little save that, at a rough calculation, one man can be equated with another in terms of it. A horseman may be worth two archers by a military calculation; a peer's vote worth ten commoners' by a constitutional arrangement. The common sense of the matter is that quantitative measurement is as much a matter of everyday reckoning in politics as in economics. We measure the strength of the opponent's party, whether we are a savage who has to fight him or a borough councillor or Cabinet Minister who has to defeat his measure. The measure has behind it a hundred votes and the opposition can only muster seventy-five. And this support, like price, depends upon the relation of the demand for freedom to the supply of substantial civil liberty, which must be laboured for through restrictions and is obtained as security. A given agreement, convention or law, by which some are put under promise, constraint, or like control, for the benefit of others, will muster so much support and can only be countered by greater support. The estimate of an alternative law, and that it is held to give less liberty or more restriction, can be measured by the smaller support which it will receive. In practice support can be obtained by a statesmanlike recognition of the way in which it is secured and built up. The solution of the problem of extensive support is to offer much new liberty in return for little restrictions without reducing existing security, which is itself liberty guaranteed by restriction. And from this can be stated the fundamental problem of politics: "how to be able to offer the maximum of liberty with the minimum of restriction, the conditions of security remaining what they are." Or, alternatively, "how to be able to offer the maximum of security with the minimum of restriction, the conditions of liberty remaining what they are".

The question of average support raises certain difficulties. Support appears to fluctuate more violently than price. Price is decided by comparative value in the open market. A man, it may be said, may be in a hundred ways deterred from supporting that of which he approves, so that voting strength may be very remote from any sound social valuation. Ethically, this may be true. But politically we can only note that we often have not got a free market. And only in the free market do we get support based, cooperatively, on the free consensus of wills. In the cruder and more restricted conditions of many political transactions we have a controlled market. By a hundred considerations men are, indeed, encouraged to, or deterred from, giving their support. The men are themselves in a control-relationship which is one of domination. But this does not affect the essential issue that, although to-morrow they may be only too glad to change their policy, they do in fact (and what happens in fact we can alone consider) give or withhold their support. The only deduction (which has its obvious economic parallel in temporarily controlled markets) is that support rendered under domination is liable to more violent fluctuation than support rendered under cooperative control, since the former involves an element of friction, the existence of a latent will to pursue a more advantageous method, and the resultant probability of doing so when control is removed. A freely cooperating group is likely to remain a stable one, in terms of units of support, so long as the "salesmanship" of a vigorous party organization retains vividly before the minds of the members the balance of advantage of liberty over restriction which the policy will procure. The group will remain cohesive.[1]

Besides the voter, the non-voter has also to be taken into account. He also receives political benefits, and is a user of political goods. In return he submits to the laws, pays taxes, and performs at least the more compulsory political duties. We have here no "social contract" or conscious transaction, but two sets of habitual services. If the individual did not perform his habitual service of obedience to the State, he could still receive political benefits, although he might do so in prison. The Government, if bad, might omit to provide certain groups with adequate protection and facilities, without ceasing to demand from them the performance of their civil duties. Such non-performance of services merely expresses and affects the closeness of the bonds of interest uniting the whole system, and the stability of the social balance.

The non-voter is the inactive citizen who obeys the law from habit without being prepared to go into the political market and bargain for this policy of liberties, coupled with restrictions, against an alternative policy (offered by another prospective Government) of other liberties coupled with other restrictions. Like the indolent man in business affairs, he is almost inevitably and not without justification a natural object for the exploitation of politicians more energetic and astute than he. The non-voter is in the position of a man in a "company township" who will take what he is given economically, and will give what price he must. His interest in policies is not sufficiently alive to make him go to the trouble of bargaining through party organizations, or he is not independent enough to dare to do so, or he is not intelligent enough to see the connection between general policies and his particular needs. Habitually he renders a few services, and habitually he receives such political goods as have been customary. The buyer's market is quite unenterprising. The explanation is usually that a poor and uneducated population has no interest in the showy political goods of civil or political advantages offered by rival politicians, but is only interested in the more solid benefits which any Government at all may be supposed to offer, or in concrete economic and recreational benefits. It will vote on bread and circuses, but a certain development of experience in the political market and a highly stimulated level of demand is needed before men will exercise choice concerning which Government shall supply them with the necessities and advantages of civil life.

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[1] Cf. the writer's article on "The Delimination and Mensurability of Political Phenomena", *American Political Science Review*, May 1927; and Professor Stuart Rice's article, there referred to, on "the Political Vote as a Frequency Distribution of Opinion" (*Journal of American Statistical Association*, March 1924).

The voters alone are the price fixers; and the measure of support indicates, not the absolute value of the measure (an estimate of which would also require an expression of opinion from non-voters), but its relative value against another measure. Some of the most important securities are so far agreed upon and expressed in law as never to be voted on, and in such broader laws alone the non-voter tends to be interested. The voters, however, determine that this policy with these restrictions shall be accepted rather than those policies with those restrictions. The rest have to accept the customary price of the market.

And they have to pay in restraints, within the State, for the political goods which are served to them, whether they want them or not. This discrepancy, however, between political and economic exchange only holds in the case of the State, which owing to its superior efficiency is at present a monopolist in providing the goods of physical security. Hence (as, economically, in a "company township"), every man has to purchase what the State provides, and to pay for it by the customary restraints settled by the voters who passed the law. In a voluntary community, however, political free-trading is possible, and whoever dislikes the goods or the restraints involved in assuring them need not procure his goods from that organization. Hence the problem of the passive accepter of whatever goods are offered in such organizations largely disappears. If they offer the wrong political goods they lose membership, as one finds is the case with Churches, societies for good fellowship, and the like. They lose support. Their facilities are not in request.

Unlike money, the vote (although a right gained as the wages of service and giving, along with other rights or political wages, bargaining power), is not superficially the object of political endeavour, which is the realization of my will. This actual enjoyment of political goods, however, whereby my will is realized, is an enjoyment of what is given by my powers. Some of these powers I have freely—just as water, the most useful of economic goods, being uncontested by adverse possession, may yet be had without price. Some of these powers have to be bargained for, and are not mine freely. They are guaranteed rights. Hence, just as economic priced goods are the objects of my economic endeavour, for which I go through the labour of performing services, thanks to which I earn wages which have their equivalent in goods, so I go through the labour of performing social services, or undergoing other irksome restraints, in order to earn a claim upon society in the nature of rights (on society) which will be honoured in the law courts as guarantees (or rights-against-individuals). I labour for economic goods to which money is a recognized general means. Similarly, I labour for rights and, in general, for something which will at any time procure the execution of those rights. The vote, however, in so far as it gives me power over authority (the producer of securities), constitutes this something. In brief, I politically labour for political power to get my will executed, and the vote is the conventional symbol of that power. I labour for "money", which means renewed allotments of money (or truck). So, too, I labour for "the vote", which means repeated effective uses of the law-making vote (or of other rights by which I compel my neighbour by calling in authority).

The reason is not obscure why the economic measurement varies directly with cost, the higher price being associated with the higher cost to be met, whereas the political measurement varies indirectly, the larger support being associated with the smaller cost in restriction to be met. In a money transaction, the expenditure of money for an economic good is a loss to the buyer, from the point of view of his pecuniary strength, and a gain to the other party; hence the minimum-priced article is demanded. On the other hand, in a voting transaction the exercise of power to obtain a political good is a gain for him who exercises it, so far as the transaction is effective, and it is a loss for the other party who is restrained by the general rule which is voted by me as security for myself and against others; hence the maximum supported policy is that with most power behind it, is thus the best guarantee, and is therefore the most desirable.

A political economy is possible, and for a period which is not one of a money economy is inevitable, without units of measurement. So, too, a political system is possible without any units of measurement, and at the moment the range of conventional measurement by voting is far narrower than the range of conventional measurement by money. But an economics without measurement would approach more closely to a philosophy than a science, and would be of small significance in coping with the details of practical problems. Similarly, it is important to recognize the high significance for politics of introducing into its study not only statistics, but a system of measurement of political transactions as such. Nor is the practical importance to be under-estimated of measuring the degree of support behind this policy or that policy, which guarantees the stability of the ensuing control-relationship, conventions, and institutions.[1] A study of the fluctuations of such support and control is important for understanding political trends, especially if a cycle is run from over-production of security (social regulation) to under-valuation of security and over-valuation of freedom (individualism). The factors could be studied which influence such fluctuations, as shown by support of particular policies in various areas. The chances of success of policies can be surmised from such detailed estimates of local fluctuations of support. This is no new thing, indeed, but it has not hitherto been systematically undertaken in tables of expressions of public opinion in voting, or systematically connected with the rest of our political knowledge.[2]

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[1] A. Hamilton: *The Federalist*, XI: "every institution will grow and flourish in proportion to the quantity and extent of the means concentrated towards its formation and support".

[2] The systematic field is a new one. For mapping of voting and non-voting, interesting not as mere statistics, but as the essential statistics of Politics, *vide* C. E. Merriam and H. F. Gosnell: *Non-Voting* (1924) and H. F. Gosnell: *Getting out the Vote* (1927). For work on measurement in politics *vide* the valuable studies of Professor Stuart A. Rice referred to above, as well as to his *Quantitative Methods in Politics* (1928) and

The Political Limit. Every time that an adjustment is made successfully, the new convention gives, without resentment from loss of liberty, a perceptible gain to security, order, and consequent efficiency.[1] We are in a market where a particular authority, providing security at a low cost, is gaining support and prestige for itself. And the accumulation of credit can be realized at need in yet further support, as it was by Mr. Lloyd George when he won the "khaki election" of 1918 on the ground that he had fought the war and won the victory. But if prestige is to be used to replace conventions (that is to say, out-of-date political goods at traditional prices) by new laws, Governmental schemes and acts, it must be remembered that the extent is narrowly limited to which this shifting and redistribution of power can take place without arousing resistance, which either successfully opposes the administrator or upsets the whole balance. Thus Mr. Lloyd George's credit as a politician was not sufficient to compensate for the restraint of individual freedom (with its change of the centre of power away from the wealthy) imposed, thanks to continued heavy taxation, by his Government. The Coalition Government was replaced by the Conservatives.

Within certain limits, change and readjustment of power is patently possible. There is a marginal area beyond this of doubt and elasticity, which the statesman

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P. Sargant Florence: *The Statistical Method in Economics and Political Science*, 1929. Cf. Bentley: *Process of Government*, p. 202; also Rueff: *From the Physical to the Social Sciences*, 1929, *passim*. The remark of Professor Eddington, in his *Nature of the Physical World*, should be borne in mind: "All scientific knowledge is learned from measurements." Professor Giddings has pointed out how what he calls "the sense of kind" has been subjected to statistical treatment by R. Benini, and in London and Liverpool it is understood that such treatment is being applied at the present time in the study of the rigidity of the class-structure (occupation of certain posts, intermarriage, etc.).

[1] E. A. Ross: *Social Control*, 1901, p. 419: "Each increment of social interference should bring more benefit to persons as members of society than it entails inconvenience to persons as individuals."

of high credit, or with a salesman's eye for public opinion, can experiment in without disaster. Beyond this, opinion ceases to be elastic, and even the most intelligent policy will meet with a rigid resistance against further sacrifices of traditional liberty or security, based upon an habitual will. The strength of this will is not directly connected with questions of right or wrong. It is a political fact. It is a fact of the social structure of the particular time and place, although it is one which has been sufficiently tested, and has served such a social purpose in the past as to be more than a mere prejudice. Nevertheless the point at which the political limit is fixed will vary from community to community and age to age. It will be one place for a Joseph II in the Netherlands and another place for a Mussolini in Italy.

The balance of atoms forms a system, a chemical compound, moved not only by the centrifugal forces of individual assertion, but by the centripetal and attractive forces of advantage, safety, and expression through society and its ordained conventions. The constellation has tension against disruption as well as against violent concentration. Hence a smooth change is only possible under conditions which respect the entire system of actual relationships. Even here there is a distinct "step" between one system of social relationships, manifested as conventions, and another system. It is a step which has no exact parallel in economics, for perhaps no such sentiment attaches to a given kind of article as attaches to a given habit of conduct, although even in the economic field there is a certain inertia of demand in passing from the old to the new. Each political order has a form peculiar to itself as a whole system, which as a system or group organization did not exist, and which suddenly, when the move has been taken—the needle thrust into the freezing liquid—comes into being and crystallizes.[1]

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[1] *Vide supra*, p. 177.

Certain suppositions and conventions cease to be observed, and others become standards. This new order or balance is not, any more than the old balance, one reached by freely bargaining political units. Social order is a product of wills, and becomes powerless when it loses the energetic support of the wills which concur to maintain it. But it does not owe the particular form which it assumes to the free choice of each of the individuals who compose the society, as a student of the old theory of "social contract" might suppose. The form is due also to the limits set objectively to the gamut of possible forms of association among men situated in given circumstances, both physical and traditional, by their environment. The conventions of the past are not "such stuff as dreams are made on" —theories, ideas, opinions. They are "social facts", modifiable—for opinion is "made"—but concrete and unamenable to individual whim. Established public opinion is not unable to enforce its sanctions. And these conventions last on into the future. The new civilization is determined, within the limits of feasible social combinations, by the impact of the new factors in the environment upon these inheritances of the past. The several wills of the members of the society give energy to the whole; but it is the permanent thrust of will against will, will against group-will, group-will against group-will, dominant and subordinate, not the free wishes of individuals, which decide the form and method of social combinations. The social order cannot be understood apart from an understanding of its entire texture and its material context. A society is, as a conventional organization of a given type, something more than the casual aggregate of its parts, since it is a specific and characteristic relationship of those parts, such as can only be understood if the entire organized group is considered as an organization, and not only analytically in its several constituent units or individuals. This form, unifying convention, formula of balance, is that which is alone comprehensible to the ordinary man, and not the shifting and wavering of related units by which it is subtended, and of which it is the formula. Hence the convention appears to be something permanent, unalterable, sacred, and becomes an assumption of his thought, a stereotype, a "picture in his head".[1] A sharp and important distinction arises between conventional "appearance", which is taken as an adequate description of the whole, but which is, indeed, but *pars pro toto*, and the social "reality", upon the scientific knowledge of which control depends.

Change in any conventional order in time comes. But this change may be so painless as to be almost imperceptible. Merely the day arrives when men find that the old order has passed to be replaced by a new attitude of mind which is unlike the old, and that they are living in a new world where the old suppositions do not hold. This happens where the actual system of relationships has for long become divorced from the formal conventions, when doubt about the political advantageousness of these convictions has become general, when the new relations have become sufficiently habitual to be themselves recognized as conventional without discomfort, and when support changes, without strong personal feeling or injury to the power of individuals, from the old order to the new. Conventions rest on will, not on natural fact, and can be changed by a change of will from "nay" to "yea". Such a smooth, although vast change, turning what would have been profoundly shocking into what is normal, but taking place easily owing to a sense of the artificiality and maladjustment to our world of the old conventions, and to the readily apprehended convenience of the new, is to be seen in the history of established religion, or in the changed condition of women and of the conduct required of them. The change from the harsh, legal convention, whether in the blasphemy laws or in the legal disqualifications of women as not "persons", to modern custom is radical. But the legal convention remained on paper long after it had been generally discarded from practice, and the shift of power took place without a violent sense of dispossession on the part of the Churches[1] or of male citizens.

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[1] *Vide* the excellent study by Mr. Walter Lippmann, entitled *Public Opinion*, 1922, Introduction; *ibid.: The Phantom Public*, 1925.

On the other hand, where the convention is rigid and ancient, so that tampering with it becomes sacrilegious, and where it is also vitalized by a group heavily interested in its maintenance, the step of change from the one convention to the other becomes more steep. There is the bitter sense of dispossession of a minority trained to the habit of power, such as marks the recent history of Ulster and of Hungary, and which embitters the feud on the issue of the distribution of property. The step becomes a bastion to be taken by storm. The traditional sentiments of a whole mass of people, a large portion of the community, are aroused. The ancient system is a sharply defined and strongly interconnected whole. For the very reason that cultures are integral, and not atomic aggregates, revolutions tend to be wholesale, and to take the form of a crusade for a new culture. There are political limits, however, which even revolution seems unable to surmount, a political structure too stout to be modified in any one epoch. In Turkey the religious beliefs of the peasant appear not to have offered a cliff too high for Mustapha Kemal to overtop; the Catholic Church in France, and the Orthodox Church in modern Russia, grounded on profound immediate feelings and built up by an immemorial culture, proved too strong for a single generation of French and Russian revolutionaries.

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[1] I hasten to add that the relatively trivial rôle played in modern life by the Churches and by the great clerical profession, especially since its systems of moral medicine for "the cure of souls" and of casuistry have become in many places contemptibly out of date and are more concerned to justify a principle of the schools than to effect a cure, appears to me to be deplorable. This comment on the bankruptcy of the clerical profession to-day in the art and science of moral medicine applies with less force to the clergy of the Catholic Church (by "Catholic Church" I mean, consonant with current European and American usage, the non-Protestant Western Church), but even here the penitential methods are not much more appropriate to the social conditions of this century or suited to modern psychological knowledge than the medicine of Galen would be suited to modern needs.

If the pressure towards violent change is persisted in, if the new group is determined to press back the opposition in order to leave room for the new convention, the result may be more than revolution and the breaking down of the constitution. It may mean the breaking up of the community, the dissolving of the bonds of the system as a single unit, and attempted secession, as in La Vendée and in the Southern States. Secession of itself varies, of course (as was shown in the case of Norway), in difficulty and violence, as does revolution, in accordance with the centripetal strength of the existing constellation of relations and balance. The fast spinning-wheel or top is less easily deflected than the slow; the highly integrated social system less easily than the less integrated.[1] Even in the more violent cases the enforcement of the new convention may ultimately succeed, unless the old conventions and institutions closely conform to, and derive their strength from, the simpler biological needs of man instead of his more sophisticated, arbitrary, and culture-made wishes. One of the most difficult and important questions is that of the degree of close relationship to instinctive demands of the existing conventions of religion, marriage and war, and their institutions.

The law of political limit admits, however, of more precise statement than by means of the distinction between functional change and structural change in society, or between a change which involves tearing asunder highly organized and distinctive systems of social relations and a change of convention. The political limit is overpassed when the margin of advantage from a new act of authority, as compared with the interference and restraint involved in a departure from ancient habits whether of freedom or of convention, is reduced to a minus quantity. Marginal utility is a matter of value, and value is in large part determined by habit, and especially by the habits impressed by the firmer conventions, deriving their vigour from the more fundamental needs of human nature or from immemorial custom as a supposed answer to these needs. Such conventions are sharply defined, and those who observe them feel that the groups constituted in terms of this observance have a common moral personality, or are social organisms which cannot be changed without losing the value or life which they possess by being such defined and interconnected wholes. Unless strong psychological forces are enlisted, utilitarian change usually takes place only within these firmer conventional limits, affecting only individual or group relations or minor conventions. But whether the elasticity and capacity for change of any social system and the margin of social utility for any proposed new policy be large or small, every projected policy has a margin of utility beyond which the new restrictions and rules involved are too heavy to be worth the facilities given, or the facilities are too few to be worth the changes in old habits of freedom or of liberty through well-known and satisfactory custom. Hence the demand for new policy depends upon the degree of contentment with the old. This again depends upon the degree of habituation with the old convention and the firmness of its impression upon conduct, so that change is irksome apart from unusual stimulus.

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[1] W. James: *Principles of Psychology*, I, p. 121: "habit . . . the great fly-wheel of society that keeps us all within the bounds of ordinance".

The Control of Wish. The political limits, or margins of political utility, are not stone walls. They are the product in convention of the concurring wills of thousands building through centuries; they are living as muscle is living, and although they contract for the time, long pressure will lead them to relax so far as is consistent with life being lived and with such instincts as man may have being given enough gratification to preserve a minimum of health and sanity. How far the very skeletal structure of human society may be stretched and instincts diverted is shown by the history of asceticism. But what is the extreme of elasticity of the political structure of a given community the statesman must discover by experiment, although empirical observation and an understanding of general political physiology should permit him to make a shrewd guess. The risk of obstinate resistance is, however, far less if he confronts an opposition sapped by doubt rather than one with a convention so firmly accepted and so far believed to be unchangeable that it will be defended, not by adjustment, but by attempted constraint. In the former case the statesman, by a skilful exposition and advertising of his policy, may arouse a demand for it, despite the restrictions involved, and push back the margin beyond which the facilities are not worth while.

Constraint spells friction and resistance, whether one party endeavour to impose it on another or authority endeavour to impose it on the individual. But restraint, which is the restriction, not of will by will, but of will by the facts of the case and conditions within which the will may operate, does not lead to such resentment. No man quarrels with the fact that he cannot, like the giants of fairy-story, walk a league at a stride. Men may be persuaded that old restrictions are inevitable restrictions and old political goods, although no longer useful, may continue to be purchased at the old cost. Thus restraint may often lead to psychological diversions of wishes, which yet remain unextinguished, whether in a diffused resentment, as a lame man is often resentful; or in a more successful sublimation, as in reflecting that in heaven the halt become hale; or by more persistent activities in other directions, in order to recover a lost sense of superiority, such as explains many a success in the fields of business or of learning. Restraint is constraint appearing as inevitable in the nature of things, and avoiding political resistance by psychological diversion.[1] Likewise liberty is not the abstract freedom of omnipotence, but freedom to do that which is in fact willed, and does not range into fields where there is no wish or demand.

The doctrinaire is the man who imagines that all men do, or should be made to, share his indignation and resentments, in the name of their "real interests", whereas, in fact, never having developed a wish for new things, they remain contented. Intervention, for example, has recently been urged during the civil wars in China, in the name of humanity, not to defend life and property, but to stop warfare. The law of political maximalization indicates that the new-comers would increase their own authority. But there is nothing in Chinese conduct to show that the Chinese are so stirred by resentment against the warring generals as to feel thankfulness to the intruders. All balance and adjustment must be of actual wills, stimulated by actual experience, and not of theories and hypothetical experience. Every reform is carried through by (in some sense of the word) interested persons.

The will is the servant of the wish, and a wish which moves easily within the prison of convention knows no restriction in obedience to law. The law has only terrors for the law-breaker, custom is only obnoxious to the innovator, subordination to the man of ambitions, and control for him who is irked by it when new wishes seize him. But when restraint has become conscious constraint, already a wish has been formed for that which is beyond the limits, which wish is now reinforced by the constraint-hating will. Hence education may be a great disruptive influence, by enlarging men's wishes, or a great conservative force, by conventionalizing them. The more effectively education impresses the character of a certain *ethos* upon a given number of men, the more difficult it will be, alike from the habitual trend of their wishes and from the traditional social organization which will grow up to facilitate those wishes, for any individual or group to break away from the social system delimited by this convention. The inertia of convention, to which we have already alluded, will be increased, and the convention, which at first arose from a given social balance, will serve to perpetuate that balance and to dictate all new relations of the units.[1] Hence the problem of authority in securing obedience to its command, not only without meeting resistance, but even with the full assent of the individual, will become simpler. The individual will not bargain for "interests" against constituted authority, either alone or in a party, because he will have no wish to do so.[2] The control of the educational process is of the very essence of sound political technique from the point of view of any particular authority, whether this be national, ecclesiastical, or otherwise.[1] The interest, however, of the individual is in free education (that is, in an education of the intellect in matters of method, and not of the character in conclusions and conduct) just so far as he has reason to regard the authority in question as other than the agent of his will.[2]

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[1] F. Znaniecki: *Laws of Social Psychology*, 1925, chs. iv and v; *vide supra*, p. 127.

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[1] Thus Durkheim writes: "tout au contraire, c'est l'organisation sociale des rapports de parenté qui a déterminé les sentiments respectifs des parents et des enfants" (*De la Division du Travail social*, p. 341). "Ici, c'est bien plutôt la forme du tout qui détermine celle des parties. La société ne trouve pas toutes faites dans les consciences les bases sur lesquelles elle repose; elle se les fait à elle-même" (p. 342).

[2] D. Hume: *Essays*, I, vii, p. 125 (ed. Green and Grose): "Though men be much governed by interest, yet even interest itself, and all human affairs, are entirely governed by opinion."

The secret, therefore, of procuring a happier adjustment than by constraint, without very elaborate or troublesome changes of the balance, is to represent convention as a restraint arising from the unalterable nature of things,[3] and by habituating the minds of the members of a community to a limited and well-known circle of wishes and demands, moral, religious, political, or whatever it may be. This circle comes to constitute an unquestioned ideal of what ought to be wished, and so long as the mass of the community can be brought to concur with this ideal, there is no need to readjust conventions which have been constructed in accordance with this generally held and stabilized ideal, or which, as the *mores* of the time and place, are its parents.

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[1] Plato: *Republic*, III: "But we must seek out such workmen as are able, by the help of a good natural genius, to trace the nature of the beautiful and the decent, that our youth, dwelling on it in a healthful place, may be profited at all hands; whence from the beautiful works something will be conveyed to the sight and hearing, as a breeze bringing health from salutary places, imperceptibly leading them on directly from childhood to the resemblance of, and friendship and harmony with, right reason." This common good, which all are induced to wish for, will be regarded by all as reasonable, since all, wishing the same, find their wills parallel and hence the social system harmonious, non-contradictory, and reasonable. The harmony appears to rest, when the tune is set by those who accept a common ideal, upon something less discordant than the stress of forces and tugging of wills. Thus we find Professor L. T. Hobhouse writing that there is "a deeper basis for the doctrine of liberty than the balance of rights which we have contemplated. Liberty rests on the spiritual nature of the social bond, and on the rational character of the Common Good" (*Social Justice*, 1922, p. 67). Only a challenge to the ideal in the name of another ideal reveals that the harmonious balance is but an equilibrium and not a firmament.

[2] Cf. H. J. Laski in *Manchester Guardian*, November 15, 1926: "By education I mean a preparation for intellectual scepticism." Cf. *supra*, p. 105.

[3] It will later (p. 452) be pointed out that, where these conventions are genuinely based upon natural law so far as we know it, this educational process is entirely legitimate, in the sense of being likely to be permanently successful.

If this ideal is successfully inculcated by education, a permanent social balance may (theoretically) be achieved, such as Plato dreamt of in the final plan of the good and symmetrical society described in his *Republic*. This education may be either of that unspecific kind which the individual derives from his social environments, the people of his family, street, and village whom he meets day by day, the things he hears and sights he sees, and, above all, what he learned in the dependent years of infancy. Or it may be that more specific education which is derived from particular educational or opinion-influencing agencies: schools, Press, stage, and cinematograph. Through these agencies a dominant group in authority may form majority opinion, which in its turn supplies the force to hold under control the few who are of the opposite opinion.

Education may be tendencious or otherwise. It may, that is to say, be merely the disinterested communication of experience, or intended to sway the will of another. The distinction between the two cannot be clearly drawn, since facts are learned in connection with human activities for practical purposes, and acquire an emotional colour. The fact communicated to another is not the physical object, but a cultural object which has many qualities of its own. Hence what is communicated stimulates the mind to an emotional attitude even when not deliberately intended to do so. Nor is tendencious education, deliberately calculated to influence opinion, wish, and will, necessarily bad, for all moral instruction is avowedly and strongly of such a nature. It is propaganda for a good cause.[1]

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[1] To say, therefore, that "politics is the art of availing oneself of popular misconceptions" (Sisley Huddleston, in the *New Republic*, February 24, 1926) is a statement about the activities of journalism and party politics more mordant than well considered.

Hitherto, it will be observed, we have carefully confined discussion to the conflict and association of formal "wills", eschewing all discussion of what might be the wish, good or bad, whether of this or of that variety, giving content to the will. We were concerned solely with the fact that each man wanted to carry out his will, *whatever* that actual will, in the endless variety of its possible contents, might be. This enabled us to arrive at some common factor in the infinite luxuriance in detail of political acts: a political algebra, a political science, became possible. To get this simplicity and objectivity we declined to discuss questions of motive and limited ourselves to the study of behaviour. It is now, however, possible to pass to the consideration of propaganda.[1] This will still be done without concerning ourselves with whether the ulterior object be good or bad, to save a country, to maintain morality, or to destroy a Government, but merely considering it as one political method of bringing wills to a given course of action. We shall still, in this study of the control of opinion, be unconcerned with the original content of the wishes of individuals, which will remain "*x*". But we shall be concerned with the instrument by which all these wishes may be brought to one type "*a*", whatever it may be. We still, then, avoid the multiple, and study only the universal. But we pass on, from considering the individual will as determined to action, to the individual will executing a given wish—that is, the will as determined, by external agencies or by memory of past experience, to such or such an action.

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[1] Following upon the study of public opinion by Dicey, Lowell, and Lippmann, the question of how public opinion may be manipulated is now receiving some of that attention which it deserves in an age when democracy has made it of leading importance. Plato can still here be consulted with advantage. Exhortations to the use of propaganda will be found in the works of Sorel (*Réflexions sur la Violence*) and E. and C. Paul (*Creative Revolution*, 1920), while a study of its use will be found in N. Angell's *Public Mind* (1926). *Vide* also I. Cooper Willis: *England's Holy War* (1928). H. D. Lasswell's *Propaganda Technique in the World War* (1927) is a valuable investigation, in a scientific spirit, of propaganda method.

Convention and Myth. It is a difficulty with the school represented by Condorcet that, having declared that man is naturally good, and that he seeks his own interests, which are good, it proceeds to assert that rulers are bad.[1] The thought which Condorcet is expressing, however, seems to amount to this, that, with the modern psychoanalysts, he regards the instinctive action of man as good, and these natural impulses as indeed the foundations of right. Only they may be pursued disproportionately, selfishly, and hence, by implication, anti-socially. But this excessive demand for the gratification of what is natural and good enough in itself would be immediately checked if men, in addition to pursuing their interests, were all equally educated in their pursuit. As it is, some have built up beliefs advantageous enough to themselves, and have persuaded others to whom they are not equally advantageous to accept them. For the present the intelligent gain power and acquire vested interests; the people alone consult only the people's interest and are good, but they are not at present enlightened.[1] All ill-founded beliefs about man's true interest would disappear like smoke before the sunshine of a general enlightenment. But, for the present, conventions must be distrusted.

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[1] Condorcet: *Tableau des Progrès de l'Esprit humain, Œuvres*, ed. 1847, VI, p. 30: "J'entends cette séparation de l'espèce humaine en deux portions . . . l'une voulant s'élever au-dessus de la raison, et l'autre renonçant humblement à la sienne, et se rabaissant au-dessous de l'humanité, en reconnaissant dans d'autres hommes des prérogatives supérieures à leur commune nature . . . (p. 58) des hommes dont l'intérêt était de tromper", etc. This notion is implicit in the entire thought of the "checks and balances" school, as well as in extremer writers, such as Paine and Godwin (*vide supra*, pp. 248–9); cf. James Mill, who, perceiving the significance of the law of the maximalization of power, asserts: "Whatever, then, are the reasons for establishing Government, the very same exactly are the reasons for establishing securities, that those who are entrusted with the powers necessary for protecting others make use of them for that purpose solely, and not for the purpose of taking from the members of the community the objects of desire" (*Essays*, I, p. 5). Also Thomas Jefferson: *Writings*, IV, p. 362: "I hold that a little rebellion now and then is a good thing and as necessary in the political world as storms in the physical." . . . (p. 370) "The spirit of resistance to government is so valuable on certain occasions that I wish it to be always kept alive."

Conventions are, indeed, constructions of the will, which disappear, unlike the rocks of the mountains, with a general change of will. But such a change will not be instantaneous because the individual can, quite abruptly, realize that he himself has been converted. Mass conversion involves not only turning away from the old convention, but a clear perception of higher satisfactions of men's actual wills in the new convention. The elaborately articulated system of relationships of one order can only slowly, and by experience, be changed over into an equally delicately balanced system of a new order. And although, suddenly, a body of men may realize that they want to make such a change, only gradually can they make that change effective by remodelling by their energies the continuous social structure which supported like a living frame the old order, and must support the new. Nevertheless, if we want to change a convention, we must first change beliefs. And if we want to maintain it, we must maintain those beliefs about what is valuable and the attachment to those wishes and demands upon which this convention—which supplies the means for these demands—is founded.

Plato, in conformity with the general body of Hellenic thought, recognized the high importance of the inculcation of the *ethos* of the community, and stressed the importance of education. Much of idealist political philosophy since Hegel has been an endeavour to arrive at so clear a vision of the good state that it could be presented to citizens with compelling force, and could unite them in common social action by virtue of a common

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[1] J. J. Rousseau: *Du Contrat social*, II, vi: "La volonté générale est toujours droite, mais le jugement qui la guide n'est pas toujours éclairé."

philosophy and political faith. With Hegel, unlike Hobbes, it is not so much the authority of the sovereign which commands men as faith in that authority which impels them to obedience. In the acceptance of that authority and its social pattern, either as final, because reasonable, or as only modified in the age-long, rational dialectic of history, working through the conflict of societies, Plato and Hegel agree. Both these majestic philosophers carried through their thesis to a point which has alarmed more timid followers. Plato did not scruple, not only to father the theory which justifies Holy Inquisition,[1] but to teach that, when a scientific statement was beyond the comprehension of the mass of men, the good convention should be taught them by the simpler and more emotionally effective method of parables and sacred symbols. The danger of this was apparent at the Reformation, when Catholic philosophy was lost in a revolt against the clerical "governors", but belief in a verbally inspired Bible and a will of God operating miraculously was retained by popular faith.

Condorcet, with his over-simple belief in education in rational self-interest, and Plato, with his distrust of the political ability of soldiers and farmers, ruled in their lives by the principles of military honour and of sensuous enjoyment, not of wisdom, are in this matter complementary. Men can only grasp their own broader interests by education, and educated intelligence is the only ultimate safeguard of these interests. But the education must be within the capacity of the educated. In the industrial field men resent the loss of the "personal touch" when some anonymous corporation takes charge, look round for some simple concept (however unreal), such as "Capital" or "Labour" to hold responsible, and are like lost children when confronted with the complexities of economic problems. So, in politics, the facts of a "soulless" system of social relations, civil, diplomatic, and the rest, are incomprehensible, dull, and distasteful. Men look round for some romantic and simple personification of power, such as a sovereign monarch or a sovereign State, or a nation with its flag, or some other religiously venerable symbol. If compelled by a perception of its unreality to abandon this imagery, they lose interest in political affairs, and turn their attention to the simpler sensational events, nearer their experience, of crimes, fashions, and sports. Plato rightly insists that a man who expresses opinions outside the field of his experience talks nonsense, and that he should be content to receive these opinions on authority, as most men have to receive the conclusions of astronomers and of mathematicians. He should be educated to be interested in worthy matters, but to be interested according to the measure of his capacity and in such a fashion as to encourage him to perform his peculiar function fittingly and socially, not to divert him from it. And this is to be done by the inculcation into the citizens of the moral plan of the community through an appeal, in the case of those who have not an expert understanding, to the imagination by simple, emotional dogma or myth (which in modern usage is often synonymous with a shibboleth or slogan).[1] Condorcet equally rightly insists that men are happy when they are able to gratify their own interests as they understand them, and that they follow these interests however blindly. And the object of education should be to enable men more intelligently to perceive these interests, and to understand how they may be adjusted to the interests of others. So far the two philosophers are not ultimately inconsistent.

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[1] Plato: *Laws*, X, par. 907; E. Barker: *Plato and his Predecessors*, 1918, appendix.

The danger, however, with myths, as an educational expedient, is when a chasm widens between the convention and what is happening in that objective world in which physical causation applies, and in which the fire, unlike a fire in thought, does burn wood. It is only in a very restricted sense that we can say that "facts have very little importance in politics". Thus, according to that system of conventions which centres on the faith of the national State, States are independent, self-sufficient units, with a distinctive culture, which must from time to time be ready to defend their lands against the ravages of a conqueror. In fact, countries are from year to year becoming less economically independent, their culture is no more autochthonous than is the culture of the individual private to himself,[1] and in modern warfare the victors suffer as well, although not so much, as the vanquished. The pleasures and pains of men, moreover, so far as these depend upon the outside world, physical and social, are governed by the circumstances and sequences of cause and event in this objective world. National bankruptcy is not avoided because the victor ought not to become bankrupt by the principles of the myth of the nation victorious in war; it is to be avoided by study of financial conditions and of the delicate factors governing the flow of capital. National independence and military sufficiency is not a matter only of patriotic belief, but of a survey of supplies of tungsten steel. A growing population in a world of immigration restrictions has consequences which follow, regardless of whether a large and affectionate family does or does not call up a pleasing image in the mind. The myths are simplifications, whether of the conventions of society or of the demands of its members or of the sequence of facts, physical and social. And as simplifications, valuable because clear and unblurred, they are always ·unlike and speedily untrue to the hastening, whirring, rapidly changing process of events. And when not only people but rulers follow the faith of a myth, instead of revising and correcting this picture by a study of the political process, a period of unreal exaltation is followed by a crash earthward and disillusionment.[1]

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[1] G. Wallas: *Human Nature in Politics*, Pt. I, ch. ii.

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[1] *Vide supra*, pp. 149, 219; *et infra*, p. 409. Balfour: *Foundations of Belief*, 1897, p. 236.

The simplest man is acquainted with his own wishes, unless he is neurotic. He wills their execution so far as is practicable, and has direct acquaintance in experience with the practicability of carrying out what he seeks to do by himself in his own ambit of activity. Of those conventions which govern the action of groups (of which he is one member), including that group which is the community, and of what is practicable for these groups by their joint action, he is less certain. And it is here that the trouble of political education in ideals lies. He believes what is told him, by men whom he trusts, about what is advantageous and what is possible, just as, although he knows what a machine does when he runs it, he usually accepts a statement of how it does it upon the authority of the skilled craftsman. Usually the convention which the plain man accepts on authority is not detached in origin from his strivings and experience, although in time it may become obsolescent and divorced, like a frozen surface left over a vacancy from which the soft snow has shrunken. The *ethos* of a people is the total of their conventions considered in relation to the spirit of wish and of demand which has brought them into being. The conventional myth strives to express this *ethos*, or some important aspect of it, in a vivid form, summarizing thus the spirit and results of the labours of a people in building up that social structure which is the result of the centuries of deposit of convention upon convention.

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[1] W. Lippmann: *Public Opinion*, 1922, p. 100; F. Delaisi: *Les Contradictions du Monde Moderne*, 1925, p. 71 ff.; also (as quoted by R. G. Tugwell in the *New Republic*, April 18, 1928): "It is as impossible to solve an economic problem by firing off guns as it is to mend a watch by slashing at it with a knife"—war being essentially as much explosive and psychological-effect as purposive and method-to-an-end.

Where, as in international relations between sovereign States, there is no such stabilizing convention, the social balance shifts with every sway of interest and power, and misunderstanding must be regarded as being as normal as understanding. The myth expresses the order of the society, and for that very reason tends to be regarded as stable, fundamental, unchanging, sacred. Even the myth of progress is a myth which teaches that progress lies in the natural and ordained order of things, and for that reason may be regarded as enervating and dangerous.[1] The convention as myth is taught to the citizens, and especially to the young, as the tradition of their people. Of itself it must be adverse to innovation and to unheard-of demands, and for this very reason simplifies political problems by canalizing demands. It lays down sound traditions, the rules of doing political business, and what the customer of authority, the citizen or member, may expect. It gives stability, cohesion, and strength to a community or group.[2]

Such new thoughts as can be brought into coherency with this mental stereotype are accepted as true, and such as cannot are rejected as contradictory and false. The new idea, because contradictory, is erroneous. Since the convention is not only an intellectual, but an emotional system, we do not want to hear of what is contrary to it, or to hear an argument based upon other premises of value than those round which it centres.[3]

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[1] Balfour: *Decadence*, 1908, p. 58; W. R. Inge: *Idea of Progress*.

[2] Its effect within the group is conservative. Thus it is Georges Sorel, the advocate of revolutionary methods by the proletariat group, who yet writes "the future is with those who are not disabused" (*De l'Utilité du Pragmatisme*).

[3] How natural this tendency is in man and how primitive a trait is shown by Lévy Bruhl (*Les Fonctions mentales dans les Sociétés inférieures*, 1910): "Par conséquent, ce que nous appelons l'expérience, et qui décide, à nos yeux, de ce qu'il faut admettre ou ne pas admettre comme réel, est sans force contre les représentations collectives. Les primitifs n'ont pas besoin de cette expérience pour leur attester les propriétés mystiques des êtres et des objets: et, pour la même raison, ils restent indifférent

The very strength of the synthesis involves that what is contrary to it is regarded with moral aversion, and with a desire to prove that it is irreconcilable with axiomatic beliefs.[1] The conventional system, emotionalized as myth, exists in thought, not as a balance of shifting atoms or even as the ideal formula of such a balance, but as an ideal or permanent formula of a system which must stand as a whole or fall as a whole. But the conventional system breaks down when some change in the world outside the social life of a particular community changes, and with new conditions come new stresses, new dissatisfactions, new wishes, new demands. Ultimately myth remains the child, not the mistress, of the needs of the members of a community, and these needs are formed in the matrix of the more involuntary and less humanly controlled environment.[2] Nature is the mother of social order, and man the parent of ideals. Although education can in some measure invert this order, it is of cardinal importance for political science that education cannot do so completely or in any primary sense.

Hitherto myth has been considered as the vivid expression of the more permanent conventions, morals, and ideals of a community, and as such only amenable to slow supplanting or to sudden dissolution following a protracted increase of disbelief. Myths are, however, also capable of more rapid modification under deliberate manipulation. Every myth presents intellectually apprehended facts in an imaginative manner, and as such is closely associated with the emotional nature of man. A

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aux démentis qu'elle leur donne. . . . Ainsi, il est sans exemple que l'insuccès d'une practique magique décourage ceux qui ont foi" (pp. 61–2). *Securus judicat orbis terrarum bonos non esse qui se dividunt ab orbe terrarum.*

[1] G. Wallas: *op. cit.*, ed. 1921, p. 123.

[2] A. V. Dicey: *Law and Public Opinion in England*, ed. 1905, p. 27: "Belief, and, to speak fairly, honest belief, was to a great extent the result, not of argument, nor even of direct self-interest, but of circumstances" (of slavery). . . . "Circumstances are the creators of most men's opinions."

genuine social myth is a practical director at once to sound order and to attainable liberty. But any myth, like any convention, which points to an advantageous system, will be welcomed. The convention, however, as a practical working arrangement must be submitted to the test of experience, but this can be deferred in the case of a myth which is but the symbol or picture of conventions old or yet to be. The Golden Age of the past and the Kingdom of Heaven which is to be are as much subjects for myth as Nationalism. False myths, because less susceptible of practical refutation, are more subtle, if more indirect, in their influence on conduct than false conventions.

From the point of view of the liberty-demanding public, any myth is sure of a welcome reception as advantageous if it appeals to those wishes which are common to all, but which are not fulfilled for all. Every man understands talk about his own well-remembered activities, and welcomes the opportunity of being reminded about the more cheerful ones. He wishes to believe that he could have more of these or better. Hence the certainty of an appeal to what may appear to be the more trivial, but are in fact the more general interests —athletic events, sports, dress, dinners, jokes, marriages and the country-side, or business gossip or household details on their more pleasing side. But a strong appeal must not only be directed to a widely diffused interest, but also to a strong wish. Hence the strongest appeal is that which paints men as able to gratify their instinctive or more deep-seated demands. Those who feel the need for adventure and violent stimulation read about crime, others about divorces and sexual offences, others read with unwonted avidity news of fighting and wars. In each case the instinctive man, permitted full release for a while unchecked by the practical needs of social order, is given play. Moreover, this energy can be capitalized for the support of any movement which plausibly promises a condition under which each man shall be a brave and superior fellow, a man of enterprise or wealth or social *éclat*, the hero of a romance, or a victor in a personal contest or a glorious campaign for the right, or righteous and sure of being among the saved and elect. It is merely requisite that the picture shall be so vivid as to have greater compulsive power in the formation of wishes than the man's intellectual judgment has in restraining his will from trying to give the wish effect.

Personality here is of importance since, when the imaginations of men have been overawed by an individual, they will more readily submit their judgment to the policy which he unrolls before their eyes. The quality of a commanding personality is precisely that it should be commanding, that it should possess certain characteristics, not irrelevant to the work in hand, which other men would wish themselves to have, and are conscious that they have not got. These characteristics need not be entirely virtuous, or the man who has not got them becomes not only conscious of a sense of lack, but of a sense of being in the wrong. The envy of those who suffer from a sense of inferiority may replace the admiration of the follower. Simple animal qualities—such as vitality, personal courage, self-confidence, a large frame, an unusual laugh such as Roosevelt's, dramatic eyes such as Mussolini's, a taste for distinctive dress such as Disraeli's—may be more valuable assets than aristocratic birth or bearing such as Curzon's, religious emphasis such as Gladstone's or Gordon's, or moral stringency such as the Puritans'. Apart from downrightness, which makes for simplicity of appeal, and loyalty, which inspires trust, it is rather lack of the more rational virtues which will damage a politician than their possession alone which will give him success in influencing public opinion and, as Plato says, in stroking the great beast.[1] But the accessories of personality alone, without an adequate comprehension of popular psychology so as to be able to use them, are valueless. On the other hand, power of leadership without attention to the facts of the political process and the realities of the situation, as distinct from the wishes of the populace and the extent of their support, is disastrous. Unfortunately such spectacle-mongers, like dishonest tradesmen, are not rare.

It will now be clear why men are prepared to accept false and charlatan myths which provide emotional release, even more readily than true myths, such as the prohibitive commands of God upon Sinai. It is also clear why some men are interested in the propagation of these myths. Hence the danger is apparent which lies in an unchecked monopoly of education by any group, even though this group be the majority or dominant part of the community itself. The object of those who benefit by any convention must be to stabilize the order under which that convention exists, and to confirm its authority. And no easier way can be found of doing this than by substituting, for the administrative adjustment of demand to supply, the limitation of demand through education, which, according to its nature, may either stimulate or standardize demand according to whether it is predominantly intellectual and concerned with means or predominantly moral and concerned with accepted ends. To this expedient there can be no possible objection, so long as the conventions give satisfaction to the members of the community and the balance of the social order easily maintains itself. It cannot be uncritically accepted that there is virtue in progress and demand merely as such. There is good in inculcating a respect for that stability upon which depends the structure of civilization, and hence so much of human happiness. On the other hand, there is a great virtue in the human mastery of obstacles, and in that progress which is measured by the ability of the human mind to show itself equal to a more complex civilization with new pains, keener sympathies, and new pleasures.[1] This progress a dominant group has it in its power, by its educational technique and myths, either to encourage or discourage.

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[1] *Republic*, VI, § 493. Cf. Bolingbroke: *Letters on the Spirit of Patriotism*: "Reason has small effect upon numbers; a turn of the imagination, often as violent and as sudden as a gust of wind, determines their conduct." Machiavelli comments, with more venom than discrimination, on the same thème (*Discourses*, ch. xviii): "For the vulgar are always taken by appearances and by results, and the world is made up of the vulgar, the few only finding room when the many have no longer ground to stand on."

A balance must be maintained in education between, on the one hand, the stimulation of energetic initiative in desire and of intelligence in execution, and, on the other hand, the sense of duty and of sympathy for the happiness of others which, however, also requires intelligence in execution when expressing itself in social plans. When, however, the natural and social conditions which underlie the order of a community are rapidly changing, when a change of demand or a shift of power is taking place, and when sound political methods require a change of convention, the conservative uses of the myth may be deliberately, or even unconsciously, exploited by a group in fear of dispossession. The old "good", after all, tends to be thought of as the unchanging "good", and is taught with moral fervour and without doubt or scruple. A community or a group (usually, however, only within the political limit of maintaining the community bond), when fighting for its power, will use every means to associate its cause with that which is emotionally gratifying or exhilarating, and that of the opponent with what is emotionally menacing or abominable. Between rival communities, between whom there are no common conventions sanctioned by power or authority, no ethical obligations hold in time of war.[1] And even in cases of less stress, education may be frankly used as a means of biasing the minds of the young and of enlisting support on behalf of the right party against the wrong.

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[1] The writer has stated elsewhere his belief that "progress" (which some are so short-sighted as to confuse with "process") is rather to be regarded as progress in the ability to master a civilization of progressive complexity than as a progress in happiness. Only the higher intellectual levels among those who can keep pace in our present civilization could nervously keep pace or live with tolerable pleasure in their surroundings in a more complicated civilization; but those who could, it would seem to be a general judgment, belong to a nobler type than the present average.

There is, in short, in politics, not only the manufacture and offer, by good governmental and administrative methods, of security and facilities in the various activities of life, but there is also the advertisement of what authority offers so that public opinion may demand this, no more and nothing else. Such advertisement, while guiding demand, must first study demand. It must appreciate the part played, not only by an intellectual appreciation of an ultimate surplus of happiness, upon which Bentham fastened his attention, but also upon imagination and emotional impulse (which Bentham under-emphasized) in determining this demand. The disinterested or public-spirited statesman will attach especial importance to the soundness of the policy which he has to offer, and to the degree to which those who follow this policy will move in accordance with what the bed-rock physical and social facts and the laws of the political process render possible. The partisan statesman, who studies the immediate market too closely, will be more concerned with so presenting his policy as to gain support, and with swaying the minds of those who may be induced to accept this policy.

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[1] Cf. G. Rümelin: *The Relation of Politics to the Moral Law*, trans. Tombs, p. 34: "None of the ties which join man to man can bind State to State." The early international lawyers waver in their attitude towards the international moral law of Christianity, which presumes the superior social claims of the Catholic Christian community and its principles, to the interests and security of State communities. Cf. B. Ayala: *De Jure et Officiis Bellicis*, 1582 (ed. 1912), I, viii, 1: "Cum quis bellum susceperit, inquit D. Augustinus, utrum aperte pugnetur, an ex insidiis, ad iustitiam nihil attinet . . . eoque spectat illud Virgilianum:

'Dolus an virtus, quis in hoste requirat.'

Quae sententia vera est, quatenus fides non violetur." F. de Victoria: *De Jure Belli Relectio Posterior*, 1532, par. 15: "In bello licet omnia facere quae necessaria sunt ad defensionem boni publici", but (par. 23), "Ex quo sequitur corollarium quod, etiamsi subditi habeant conscientiam de iniustitia belli, non licet sequi bellum, sive errent sive non. Patet, quia 'omne quod non est ex fide, peccatum est' (*ad Rom.* 14)" (cf. Aquinas: *Summ. Theol.*, I, 2, qu. xix, art. 5: "omnis voluntas discordans a ratione, sive recta sive errante, semper est mala".) The stiffening of attitude on this matter, ever since the days when the Doge declared "We are first Venetians and secondarily Christians", is shown, e.g. in Treitschke's declarations: "The Statesman has no right to warm his hands with smug self-laudation at the smoking ruins of his fatherland and comfort himself by saying 'I have never lied'—this is the monkish type of virtue" (*Politik*, 1897, I, p. 110) . . . "sacrifice for an alien nation is not only immoral; but contradictory to the idea of self-maintenance, which is the highest interest of the State" (*ibid.*, I, p. 100). . . . "The individual should . . . have courage" (even in an unjust war) "to take the State's errors upon him" (*ibid.*, I, p. 112).

A policy which is in accord with the facts, but has no support, is academic. A policy which has support, but is out of accord with the facts, can only be temporary, unless it is to lead through intransigence to disaster. Those conventions will arouse a general sense of duty which are socially feasible, which conduce to a feeling of well-being, and which reconcile the facts of the objective world with the facts of psychology. They must devise a method consistent at once with the obstinacy of that natural universe of things, geographical, chemical, biological, medical, not to be abolished by the human will, and with the impulses and satisfactions of human nature. Superficially, a community seems to us a unity, to be described historically in tales of customs, beliefs, and traditions. It is like a bright nebula glowing blue or yellow or red. But if we look more closely we see flickering flames, whirling gasses, and a world of atoms in balanced rotation constrained by those forces whose necessary tensions we formulate as physical laws. Communities are like such bright spinning bodies undergoing, under an appearance of unity, momentary change, and liable to alter form under shock. The conventional system, to change the metaphor, and the narrower field of positive law, determine that current price of the market which everyone has to pay. But it must not be forgotten that this current price is subtly determined by the demands, and by the readiness to depend on public service, of every individual in the society which is ruled by this set of conventions. This current price is the conventional formulation of the results for the time of the shifting and higgling of the political market of power.

CHAPTER VII

EQUALITY AND STATUS

The Social Differentiation of Power. Wills, for the purposes of Politics, may be treated as units, but they are equal neither in potential energy nor in actual power. One man is not as another physically, mentally, or morally.[1] He need not be inferior in value; it is beyond our province to discuss such a question here. But he is not equivalent in use, in the sense that any man is equally good with another in performing any work. According to the degree of excellence required in the work, whether of strength, intelligence, or judgment, there will be a differentiation of ability made apparent between man and man relative to the performance of this task. The higher the grade of civilization, the greater will be the economic differentiation between men as to work performed and the greater the specialization of labour and ability. And what is true of the economic world is also true of the political world, in which the position the individual is able to assume in the scheme of social relationships will be dependent upon differences of skill and of energy of will.

Differentiation, however, among men in the tasks they may perform, and their inequality of efficiency when confronted with a given task, is to be attributed to extraneous circumstances of training and past experience, as well as to decisive differences of native gifts. Whether a man holds a given position depends in part on his actual *power* to obtain it and in part on his *ability* to retain it. But his ability to retain it, if it depends in part upon the *inheritance* of characteristics, and upon those subtle differences of gifts which must remain as eternal as the difference between one individual experience and another, depends in part upon his *power* to acquire the necessary skill and the control of the necessary means and appropriate position in society.

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[1] "I am quite satisfied", said Cobbett, "that there are as many sorts of men as there are dogs." It will not, however, be forgotten that the diversities between dogs are in no small part due to the deliberate intervention of an external agency, the dog-breeder—a process which could be reversed with a view to breeding out types of agreed deficiency. Moreover, Cobbett is wrong—but what he means is right.

The proportion between the importance of inheritance and the importance of training in the development of ability is of all questions of practical politics one of the most fundamental. It is determinant of our attitude towards an aristocracy of birth in the true sense of that term. It is, however, a question which depends for its answer upon a greater knowledge of biology than we in this generation possess. For the present, and pending further enlightenment, sound policy would seem to dictate the scrupulous provision of the best environmental conditions for all, the discouragement of breeding from those stocks in which the average man will recognize that there is a predisposition to the inheritance of specific diseases and defects, and the preaching of the social obligation of men to put, in courtship and parenthood, considerations of bodily and mental qualities in front of considerations of mere meretricious advantages or of mere respectable position. This last danger, relatively absent in the Dominions and New World, is peculiarly insidious in a seriously class-divided society such as that of Great Britain.[1] When we have done all that we can to give to each the maximum environmental opportunity of which he shows himself experimentally capable, it will then be time to abandon, if the scientific facts appear to indicate the wisdom of this course, further attempts on behalf of the biologically poorer material in order to cultivate intensively the biologically richer material—promising blacksmiths' sons, such as Mussolini and Hoover. For the moment our knowledge of the principles of selection and the small extent of our experiments with what is possible with the general run of men do not justify such selective procedure, except when it can be carried on by encouraging the free choice of partners and of environment, and without compulsory discrimination against the less favoured.

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[1] Madariaga: "Englishman, Frenchman, Spaniard" (*Atlantic Monthly*, CXLI, pp. 456–7): "The structure of the community is aristocratic in England, bourgeois in France, popular in Spain. . . . England is a political, but not a social democracy" (cf. also the published book of the same title, 1929, p. 128). The comment of the distinguished Professor of Spanish at Oxford University, recently endorsed by Mr. H. A. L. Fisher (*Times*, August 9, 1928: "The Catechism is a characteristically English document in that it envisages the problem of duty in the context of a graded society"), is borne out by Walter Bagehot's well-known emphasis (*English Constitution*, 1877, p. 8) upon, and praise of, the "deference" of the English poorer classes. Probably this tendency to servility, compensated by a non-

Apart, then, from the differences between men in innate ability, which Politics may admit,[1] as it admits

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cooperative resentment and suspicion, is one of the greatest weaknesses in contemporary English society and one of the points on which it compares most unfavourably with Dominion society. There is some evidence for supposing that it is a recent phenomenon, dating from the beginning of the eighteenth century. The psychologically bad effect upon the individual of a social order in which men fall into the habitual attitudes of superiority and of inferiority does not need to be emphasized. Even the more advantageous of these attitudes appears to be, like self-conscious dignity and self-importance, a form of infantilism due to a desire to attract attention and to call people's attention to the fact that one is "grown up" (A. Adler: *Neurotic Constitution*, *passim*; F. Allport: *Social Psychology*, p. 139). The wider the gap between classes is permitted to become, the more it becomes an impertinence to cross it. Bagehot's comment on English life is amusingly corroborated, a generation earlier, by James Mill (*Essays on Government*, n.d., p. 32): "the opinions of that class of the people, who are below the middle rank, are formed, and their minds are directed by that intelligent, that virtuous rank, who come the most immediately in contact with them . . . to whom their children look up as models for their imitation, whose opinions they hear daily repeated, and account it their honour to adopt". Cf. J. S. Mill: *Autobiography* (World's Classics), p. 120: "I thought the predominance of the aristocratic classes, the noble and the rich, in the English Constitution, an evil worth any struggle to get rid of . . . as the great demoralizing agent in the country." The trouble is probably not so much with the noble and rich as with those who, with an exiguous family tree and a trivial income, falsify values in an attempt to counterfeit the noble and rich and to segregate themselves from the rest.

[1] The tendency of many modern biologists and, on the whole, of the behaviourist school of psychologists is to react against the Galton-Pearson

without discussion the variegated contents of wills, but is not called upon to explain, there are the inequalities between men in power (including power to acquire specific power) which it both admits and must explain. However men may have become unequal, whether on account of nature or of nurture, the fact is common ground that in social advantages they are unequal, and Politics has an adequate task on hand to explain how the social, as distinct from the biological, inequality arises and how it may be removed, were it desirable to remove it, so as to permit biological equality or, for that matter, purely biological inequality full play. This explanation involves no new lesson. For we have already admitted that politically each man is potentially means to another man and may be an indispensable means. The economic doctrine of division of labour and the biological doctrine of distinction of ability merely emphasize the significance of purely social inequalities, such as we have already been led to expect. Inequality of power does not spring from inequality of ability alone, or status only from differentiation of economic function and wealth. It is not even true that undoubted general ability, as with men of high intelligence, always commands the power to secure execution of one's will, with which alone Politics is concerned, or that conspicuous deficiency in ability, as with some heirs of wealthy men, in fact, always lacks power. The purely political problem of socially imposed inequality is a problem large enough to occupy our attention, leaving to the biologists their own problems.

When we consider the social structure, we perceive an association of wills finding a measure of self-expression

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doctrine of mental inheritance, and, at the most, only to admit the inheritance of mental predispositions. It is, however, significant that Professor F. Allport (*Social Psychology*, 1924, p. 139) connects the mental attitude of domination or submission with the (heritable) physique of individuals. For an extreme exposition of the environmentalist view, *vide* R. Owen: *New View of Society* (ed. Everyman), pp. 91–2.

through a system where every man receives rights in proportion to his weight in maintaining the authority of the society, its order and conventions, and to his genius for catering to its needs.

Rights are recognized claims for support, and peculiarly for the support of authority, against the contrary wills of individuals, which claims authority is prepared to admit in return for services. Duties are recognized services or those services which authority lays down as required from the members of a political organization in order that it may enjoy the support and power requisite to enforce its decisions against recalcitrant individuals,[1] and to give effective rights to these members. Every new law, which confers rights under it upon the law-abiding citizen against the law-breaker, sets up new duties of obedience to keep and enforce the law—payments in irksome but beneficial restraints upon freedom which the citizen has to make. The ready performance of duties, without nice calculations or chafferings, results in a free market and the easy production of those political goods which we know as effective rights.

This system of rights and duties in no way necessarily presumes inequality of individual power. On the other hand, if each man's power were equal to every other man's, his claim would still be balanced against those of other members of the society. The appropriate diagram would be one of parallel lines representing equal and balanced forces. Hitherto we have discussed the problems of Politics in terms of equal units and parallel lines.

But in fact we are presented with groups, nuclei of organization within the community, occupying different positions of power. Every social organization is a constellation of such groups.[1] Nor is it possible to treat these differences of power as of no account in the form of the social system on the assumption that the "law" or "political rights" or a "just social order" takes no account of such things. Justice, as Aristotle long ago pointed out, consists in rendering to each man according to his worth, to the unequal unequal things. And a man's worth to social order is the contribution which he is able to make to the maintenance of that social order.[2] Nor can society, as some personal entity, allocate rights with entire indifference to individual or group power. For society is composed of individuals and groups, and its social order is built up out of the actual wills and balanced powers of these will-units. For example, as Jellinek has admirably pointed out, the essence of the problem of minorities lies in the difficulties presented where a dominant group of one culture[3] overrides a group of another culture in cases where the value of the common bond of association of the whole society is not felt to be beyond all question greater than the common bond of the group.[1] Peculiarly this arises when a governing group which had considered itself to be, to all intents and purposes, the community or society is challenged by a larger group of people, technically citizens, but who had hitherto scarcely been felt to be tradition-makers of, and in the full sense genuine members in, the community—an issue of "Society" *v.* "the People".

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[1] "What has the society a right to require from me? The question is already answered: everything that it is my duty to do" (W. Godwin: *Political Justice*, 1796, p. 120).

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[1] In "this sphere of existence into which we are thrown, not affording room for the unrestrained activity of all, and yet all possessing in virtue of their constitutions similar claims to such unrestrained activity, there is no course but to apportion the unavoidable restraint equally" (*Social Statics*, 1893, p. 36). In so far as Spencer is here making a statement of fact, and not of ideal, he is falling into the individualist fallacy of supposing that the balance of power has only to be struck between individual units and not between group units. Cf. Duguit: *Law in the Modern State* (trans. F. and H. Laski), p. 117: "Each constitutes a social group with its own law of life. The theory of the modern State is therefore compelled to adapt itself to the existence of these powerful groups. It must determine a method of their coordination."

[2] Professor L. T. Hobhouse writes (*Elements of Social Justice*, 1921, p. 109): "Thus each man has a claim upon the common good proportioned to his own qualifications for sharing it. This is the fundamental principle of equality." But who is to decide the qualifications? In a like-minded society, the agreed authority, abbot or whoever it may be. But in a heterogeneous society? It has recently been suggested (J. A. Hobson, in *Hibbert Journal*, June 1929, quoting E. W. Hirst: *Ethical Love*) that we should substitute for "equality of opportunity", "equity of opportunity". But we are still left to discover who shall settle what is equitable. *Quis custodiet ipsos custodes?*

[3] This is not to ignore the fact that this majority will itself be organized by a nuclear minority-in-power. It is this truth which provokes Gumplowicz (*Outlines of Sociology*, trans. F. W. Moore, 1899, p. 118) to say: "A State, therefore, is the organized control of the minority over the majority: this is the only true and universal definition; it is apt in every case."

Justice can assume an egalitarian form when the might of the dominant wills, under Caesarism or Bonapartism, is so vastly superior to that of any private individual that, in comparison with the might of authority, the power of even the most powerful individual or group other than the dictator can be treated as for practical purposes equal to that of any other. But social authority is not something resting for executive force upon a void, upon abstract principles, or upon its own detached majesty, but upon the actual idealism, as well as the deference, of individuals and upon the power of the social-spirited to make their will prevail.

Hence in a weakly organized society, such as a feudal kingdom or a country split by racial hatred, it is impossible to administer the same sentence against the great and the small, even where the law has reached the stage of providing for equal justice. For sentence is executed at the political risk of rebellion, and, if carried out, becomes rather an act of public policy than of private correction. In cases arising between small persons, justice more in accordance with the modern concept, with uniform method and equal sentences, can be enforced. The powerful, however, are not usually willing to have the law declared against themselves, but they, as legislators, mould the law in their own favour. This may be effected by peculiar privileges of nobility, or by less invidious general regulations from which squire or merchant receives the specific benefit,[1] or by allowing the members of a class to be the normal appointees to public offices. Nor need such legislation or administration be consciously corrupt. The Aristotelian division into natural and perverted forms of government,[2] according as rule is or is not for the benefit of a class, disregards the psychological fact that every man thinks that the social order which seems good to him is that order which is good and should be established. And magnifying his own power, he allocates to himself as his due, in rights, not only what he would get in a durable social order by an arrangement reached after overt conflict or by a general vote, but somewhat more. Hence the maxim follows that in any society of rights and duties no men or groups must be the judges in their own case, as are warring States, since here their direct interest in their own power or in that of the closer group is in conflict with their more remote interest in their own power and rights through the community or through the more diffuse group. A little reflection will show us that the small group, as much as the large society, plays a permanent part in the social structure, and that it is largely due to membership in these lesser or transverse groups that individuals are socially differentiated.

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[1] Professor Jellinek acclaims "a proud minority consciousness", because "nothing can be more regardless, more harsh, more unfriendly to the most primitive rights of the individual, more given to hating and despising the great and true, than a democratic majority". Cf. Herbert Spencer's denial of the "divine right of majorities" (*Man* v. *The State*) and Simonde de Sismondi's declaration (*Études sur les constitutions des peuples libres*) that "nothing is more easy than to prove the sovereignty of the unanimous nation, nothing is more difficult than to prove therefrom the sovereignty of the majority". Cf. also M. J. Bonn: *The Crisis of European Democracy*, 1925, p. 65 ff.

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[1] The passage will be recalled in which Anatole France speaks of "the law which, in its majestic equality, forbids the rich as well as the poor to sleep in the streets and to steal bread". When children of nine are sentenced to death as late as 1833 in England for stealing what only the poor are tempted to steal (in the case in question, twopennyworth of goods from a cupboard, after breaking into a house), this "equality" becomes brutal. Cf. 9 George I, ch. 22, to the effect that anyone disguised and in possession of an offensive weapon "appearing in any warren or place where hares and conies have been or shall be usually kept and being thereof duly convicted shall be adjudged guilty of felony and shall suffer death as in cases of felony without benefit of clergy". Cf. the strong statement of Brooks Adams, quoted by Roscoe Pound: "The rules of law are established by the self-interest of the dominant class, so far as it can impose its will upon those that are weaker."

[2] Aristotle: *Politics*, III, vi.

Metaphysical Equality and the Social Hierarchy of Classes and Groups. The Benthamite principle of "every man to count for one" is the only political principle tolerable to unprivileged individuals, each one of whom strives to assert his own actual will, and each one of whom will refuse voluntary allegiance and active support to a society which does not facilitate it.[1] The Stoic principle of the autonomy of the will[2] remains fundamental to all political discussions and is the lasting basis of all sound assertions of human equality. A man's will may, by social influence, be determined to do what is most contrary to his own interest, but he must still be persuaded that he wills to do—or he does not will not to do—this thing; he must be treated as an individual. Although he may consent readily enough to a social order in which he finds that, owing to his merits, he counts for more than one, he will not consent in his mind to an order in which, however exalted his place, he counts for less than another for no advantage, direct or indirect through society, that he can detect or suppose to himself. It may be true (although neither the history of Rome and Greece nor that of the relations of hardy mountaineer and cultured plainsman confirms this optimism) that, as Huxley says: "Witless will always serve his brother", but it does not follow that Witless will not resent doing so, even if Professor Huxley does not succeed in spurring him into a show of force and an attempt at revolution to prove his manhood. A good society makes Witless contented with, and honoured by, his task.

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[1] "All men", declared the French Constituent Assembly, following with a new emphasis the Stoic philosophy and the Institutes of Justinian, "are by nature free and equal in respect of their rights. Distinctions can be founded only in public utility." This could have been more accurately phrased "All men by nature claim freedom to choose for themselves what they will and approve. This is a psychological fact. Distinctions in what they may be given the right to do must be founded upon demonstrable public utility."

[2] This is also the solid basis of the doctrine which rests equality on the dignity of man as man. "Le sentiment de l'égalité n'est pas autre chose que le sentiment de notre dignité; c'est en le laissant affoiblir que les hommes sont devenus esclaves, et ce n'est qu'en le ranimant qu'ils deviendront libres" (Mably: *Œuvres*, IX, ed. 1794–5, p. 54). Cf., for a general discussion, F. W. Maitland's essay on Equality in his *Collected Papers*, J. F. Stephen's *Liberty, Equality, Fraternity*, 1873, and H. J. Laski's *Grammar of Politics*, ch. iv.

On the other hand, owing, perhaps, to biologically inherited differences of nature and ability, to socially inherited differences of nurture and of control of means, to differences of energy temperamental and habitual, and to differences of intelligence in understanding the social structure and in using political methods, groups more powerful than their neighbours are built up, maintained, and confer a privileged benefit upon their members. And so long as individual action or action in the small group, standing in a relation rather of mutuality than of solidarity with other groups, but solidary within itself, confers more benefit upon superior ability than does equal membership in the larger group, such individual competition or such formation of privileged groups (that is, groups of a common interest concerned to maintain that interest) is likely to continue, despite the extent to which it may endanger any feeling for a larger community.[1] The balance can only be maintained if the advantage to society at large of the small group by virtue of its peculiar ability or skill,[1] as functioning for the general good, is patent, and if the advantage to the members of the small group of solidary relations on an equitable basis with the large group is equally clear and influential.

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[1] L. Duguit: *L'État* (in *Modern French Legal Philosophy*), p. 273; for an extreme statement of the group view *vide* F. Oppenheimer: *The State* (trans. Gitterman, 1914), p. 5. It must not be rashly assumed that the dominant is always the culturally superior as distinct from the militarily more hardy group (Ratzel: *Võlkerkunde*, 1894–5, II, p. 370).

Against the social bond there is always tension and the striving of the freedom-loving will against restraint. Every new social union involves new conventions and restrictions upon habitual conduct, even if it is later shown to give new securities and even to permit the abolition of old and otiose conventions. Could it but give the security required, and did it not live under a thousand conventions springing from fear of aggression and consciousness of inferiority to the power of men and of nature, the small group or City-State or clan offers a better market for liberty than the large group, in which the offences or claims of other remote people lead to prohibitions and restrictions for which the less imaginative citizen can see no particular reason. Were small homogeneous groups both broad enough in outlook to be successful in the struggle against nature and secure against man, they could either, as in modern Switzerland, give more freedom for the same domestic security than larger groups, or, as in ancient Greece, could press on with social measures of law to give more well-being and cultural amenities with the same freedom. The restraints of a homogeneous society become the constraints of a heterogeneous one. Until men are goaded on by the demands of war and alliance, or the inconvenience of a restricted area of peace and authority and by the demands of civilization, the smaller group remains the more congenial. And whether the small group is gathered into the large society or has always been a portion of a larger society, it will tend to last on as having a peculiar position in the broader social order, with peculiar interests and usually a peculiar power for enforcing what is necessary for those interests. For the profoundest reasons of interest and of sentiment the history of society is likely to remain the history, not of equal individual atoms in a cosmopolitan world, but of diverse groups.

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[1] There is something profoundly immoral in the morality of Kant which endeavours to roll all personalities level (as indistinguishable metaphysical units bound to conduct themselves as like persons in accordance with a universal rule), and which ignores the Aristotelian precept to render equals to equals and to unequals unequals. One man has not socially the same rights as another, even under an ideal scheme, because he is not the same man and different things should be demanded from his different ability. The present writer would by no means be prepared to deny that (as the Nietzscheans assert) there is something in "blood". The trouble is that what nature recognizes by its biological fruits as good blood and what is recognized under a pecuniary system of honours as good blood may be very different. The latter unnatural order is, moreover, perpetuated by a dysgenic system of class endogamy which, in many countries, only those of ducal or other high and mighty rank have the social courage to break through.

Age Groups. Some of these groups, such as those of age, sex, race, and nation, which separate into divisions human society or particular societies, are entirely or in part delimited by nature. They owe, nevertheless, their existence as social groups to a certain common interest which unites their members, and their members only, to each other. In some cases the common interest is so weak compared with the communal bond, as in the case of age groups, that it is easily entirely overlooked; in other cases, as of nationality, it is strong and unmistakable. To take as instance the first of these: the age group, however lacking in all significance as an organized group in modern society, is clearly demarked by the customs of the Oriental world, by the Roman principle of the *patria potestas*, and by the religious dignity assigned to a head of a family in Judaism. Whether we do or do not accept the extreme theories of the patriarchal monopoly of rights and of the origins of exogamy, the parental authority, which held the members of the society in close bonds of rite and loyalty, distinguished emphatically enough the heads of families from the younger members of tribes and provoked occasional revolts which are among the curiosities of anthropological literature.

In modern times, countries of a settled and rigid culture are still inclined to attach importance to being of a certain age, and hence to that general and passive self-confidence and belief in authority which comes with the flight of years, rather than to individual *flair* and ability, with its more aggressive and innovating self-confidence.[1]

The high value placed upon authority by the old may be attributed, not only to the fact that they themselves have, or have had, the possession of authority and honours (since often the rulers are rather drawn from the class of bold innovators), but also to widened social experience, declining vitality, and the jealousy of men of years and mediocrity for upstart ability. On the other hand, the young have the love of novelty which goes with small experience, unsettled habits, sensitiveness to new stimuli, high vitality and ambitions, and an ungratified taste for the exercise of power. The young are the perpetual opposition, owing to a new taste for liberty uncorrected by experience of the need for security, while the final political argument against ancient conventions is the slow extinction of those who uphold them.[1] A conflict of interests also arises on the issue of the inheritance of wealth. If wealth is not a means to social efficiency, but only an enjoyable reward for a life of work, then either its late enjoyment or the insistence that every man shall earn his own wealth is justified. But, if the premise is untrue, the conclusion is unjustified; and wealth should be passed on, not at death, but at the age of its greatest use to the recipient in a society which considers the privileges involved in the inheritance of wealth by the children of the more successful to be eugenically defensible.

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[1] "Age", says W. von Humboldt, "has nothing to do with experience; this is only to be acquired when actively employed in the world." Cf. H. J. Laski: *Grammar of Politics*, p. 407 (on "mistaking antiquity for experience"), and Sir Henry Taylor: *The Statesman* (1883, *Works*, vol. iv), p. 228 and p. 354. Taylor quotes, in 1836, with approval the remark of Wilberforce that men seldom succeeded in the House of Commons who had not entered it before thirty years of age. The stress here upon native brilliance, as distinct from sound judgment and such mature experience as makes a man a fit representative, appears to be excessive. But, since a politician has to live his life, not among men as they should be, but among men in pursuit of power to further various interests, the doctrine of Taylor that "an early exercise of authority is, in the case of most men, necessary to a capacity for taking decisions" is probably sage enough, while the early exercise of power gives a habit of confidence, and of adaptability and *savoir faire* which too long "in the wilderness" may destroy. The consequence, however, is the building up of a "ruling class" and the emphasis of the inferiority complex of those who are not members of it, unless a good system exists for the selection from other ranks of young ability. The system by which the more intelligent are kept in a protracted condition of tutelage in a university (e.g. under the American system of doctorates—corrected, however, by the custom of vacation employment) appears to be bad if these gifts of ready decision and aptitude in handling men (and, let it be added, in "bluffing" and juvenile "cocksureness") are to be cultivated. Perhaps the best rule is that there should be no rule, but a *carrière ouverte* for mature talent (as for an Alexander, Calvin, Spinoza, Pitt, Danton, or Napoleon) apart from physical age. The physiological changes taking place after middle age, including the shrinking of the brain, it is eminently probable have a mental correlate, since these changes seem to be deferred for some years in cases of men of unusual intellectual activity.

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[1] One of the most interesting conflicts of our day is between those who object to the regulation of civilization for the especial benefit of the weak-minded and those under age, and those who hold that a censorship of literature and manners should be exercised, not because the moral character of adult citizens such as themselves requires it, but because it is needful to protect the young—these adults holding themselves, rather than those who are growing with a growing civilization, to be "the trustees of posterity". How far this latter policy results in the perpetuation of the childish demand for protection into middle age, so that the efficiency of civilization is encumbered by the mental resistance of elderly children; how far the very young have minds naturally uninterested and antiseptic against what is dangerous to their elders; how far the risk for the adolescent of over-stimulated and disproportionate interest is greater than the risk of furtiveness; and how far the censorship of civilization for the young is not a sentimentality born of self-indulgence and fear which the young themselves repudiate in the interests of straightforwardness, and of which the repudiation is countenanced by wisdom, are questions of profound moment upon which the writer can venture no opinion. There seems to be no doubt that the young are more nervously susceptible to shock, *in those cases in which the experience is intelligible to them*, than the more mature. A sound education would seem to aim at the proper and corrective proportioning of experience and at the training of a judgment strong enough to form just decisions thereon.

At the present day the middle-aged appear to be in the ascendant. Such a dominance of the middle class in time of life has the obvious advantages of the mean. It carries, however, the grave dangers of denying the proper social functions of the other two classes. In Europe it appears to be deleterious in two ways. It abashes the uncertain confidence of the young in what can be accomplished by personal energy, as distinct from training in the conventions and in knowledge of the erstwhile facts of a fast-changing civilization. The difference between the age at which young men are expected to assume civil responsibilities and the age at which they are required to assume military responsibilities is probably too great. It seems likely that the former could with advantage be thrust five years earlier. The English (as distinct from the American) public-school system almost certainly tends to withdraw boys too long from contact with the everyday life of the world. On the other hand, the system which entrusts the work of life almost exclusively to the middle-aged fails to utilize what can be learned from suggestions made from a full store of human experience owing to the fact that men abruptly pass from full activity to complete retirement.

The problem of parental authority is also a problem of the relation of age-classes which is by no means satisfactorily solved. Authority which constrains the will and is not seen at the moment to be advantageous is resented at the time by children, and the resentment leaves a psychological mark which later reasoning cannot efface. Research is required to show how this difficulty in the sometimes unhappy and contra-suggestive relation of parent and child may be eliminated. Among some simple peoples authority resides in the hands of a remote hero, the maternal uncle, with apparently satisfactory results.[1] In the modern world nurses, schoolmasters, and school matrons may, perhaps, well assume upon their impersonal shoulders some of the odium of symbolizing the imposition of discipline. Much, again, may perhaps be done if rules, instead of assuming the form of arbitrary and whimsical commands, whether from father, State, or the Almighty, become restraints imposed so steadily, calmly, and constantly as to appear part of the very nature of things, until the time comes for their rational discussion and explanation. The greatest value, perhaps, in the study of age groups lies in the light which may be thrown on the relation of controller and controlled in other groups. The repressed child and the child brought up under a semi-military educational system tend later to strive for a compensating position of social superiority in order to restore wounded self-respect. There may then be a connection between the relations of age groups and the general class-structure.

Sex Groups. The possible conflict of interest between sex and sex is more apparent, while the mutual interdependence of interest is less clear than between age groups. The boy may resent, but he must, with normal fortune, some day enjoy the prerogatives of the old man. The girl may never enjoy the privileges of the boy. Hence sex-resentment may be more intense than age-resentment, although the satisfaction derived by one sex from the other is far more intense than that felt between any age groups. Thus the feeling of antagonism has been less diffused, but more violent.[2]

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[1] B. Malinowski: *Sex and Repression in Savage Society*, 1927. It will further be noted that life in a school-community is more like life in the simpler human societies than is life in the modern segregated family.

[2] A certain recent reviewer (R. Ellis Roberts, in *The Guardian*) of the *Everyman* reprint of Mary Wollstonecraft's *Vindication of the Rights of Woman* and J. S. Mill's *Subjection of Women*, while rightly insisting upon the stupidity of the refusal to see in men and women primarily human beings (which refusal, extraordinarily enough, he appears to ascribe to me), treats all difference of interest between the two sexes as "an imaginary

The patriarchal system seems to have contributed something to the defence of a military tribe and something to the domestic economy of a pastoral people. The institution was adapted to, and rose and fell with, certain conditions of civilization.[1] The ascendancy of the husbands seems to have served a similar military purpose in the long ages when the only civilization known was that of pursuers and pursued. The ascendancy is passing as, with the growth of civil peace, wealth replaces force as an instrument of power and as changed economic conditions render women's work as much needed as that of men in many fields of industry. The legal status of women, as not persons in law and as *sub manu viri*, has been removed in Anglo-Saxon countries; but it is not yet the case that there is opportunity and division of labour in affairs in accordance with individual ability instead of by sex status at birth or status by marriage.[2] On the contrary, the prejudice against their status, when women come into competition with men, is still such that their opportunity for accomplishment is restricted, whatever may be the scope of their native gifts.

The heart of the quarrel here is whether, since women and men can each by nature perform only one of the

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conflict". That there should be no difference of interest we agree. Anyone, however, who doubts that, even in this century, there may be a very real practical difference of the crudest kind, arising from beliefs entertained by very respectable men, is referred, as a curious instance, to Dr. E. Lyttelton's *The Christian and Birth Control* (S.P.C.K.), p. 86. On the general question, for a strong expression of opinion, *vide* J. Bentham: *Anarchical Fallacies* (ed. Bowring, vol. ii), p. 499—or, for that matter, St. Paul (Lyttelton: *op. cit.*, p. 120).

[1] J. L. Myres: *The Dawn of History*, p. 22.

[2] *Vide* the writer's introduction to Mary Wollstonecraft's *Vindication*, *op. cit.*, p. xxxviii. The chief danger at the present time lies in the tendency to seek a solution of the major problem of the relations and opportunities of the two sexes in terms of the conditions and difficulties arising from our present economic system. Besides many obvious answers, the ultimate answer to the accusation that "every woman employed robs a man of a job" is probably only to be found in a non-competitive wage system.

two functions of propagation, each should not occupy in life a status appropriate to that function. Those who bear would, so far as nature and the welfare of the race demands, give their attention to bearing, and those who beget to begetting. The whole physical constitution and the correlated emotional life, it may be said, is differentiated between the sexes according as they perform the one or the other function. Now nature demands more time and labour of the woman in the act of bearing than of the man in the act of begetting. And since nursing and rearing occupy yet further time, it may be argued that every woman has allotted to her by sex a natural vocation. Nor, it may be said, does the Platonic argument apply that human beings should be social beings first and be treated as men or women only in matters where a sexual function is involved. The rearing of the race is a duty which takes a lifetime and withdraws from other activities and concerns those who have, as a group, a special function. The ground for the status distinction of men and women is Plato's own argument that every man should do that in which he or she is best and mind his own business.

On the other hand, it is mathematically false that every woman can have children under a monogamous system. And it is not true that every woman always has young children dependent on her, or that all women have the aptitude or the technical gifts for rearing children, in which the trained nurse and the schoolmaster perform a specialized function. It is not, again, true that this task of bringing up children, on its less technical and more sentimental side, is exclusively a matter for the mother and not for both parents. That children should be reared exclusively "with the women", until they are of age for manly accomplishments and military training, is the convention of an earlier, simpler, and harsher civilization than that in which children are educated to-day, while the treatment of nursing and teaching as part of a general function of women, in which the light of nature is the guide, is only necessary in a more primitive civilization or is to be regarded as one of the disadvantages of the poor. The precise natural distinction of occupation, then, between men and women lies in the function of motherhood only (apart from the companionship of the sexes), which demands part of the energies of the larger number of women for seven or eight years of life. The activity which, under the conditions of ancient warfare, seemed to impose upon the males a like measure of sacrifice to that which child-bearing imposed upon women was that of taking the active part in fighting. This function is now performed in most countries by one or more years of compulsory military service, which, like the demands of maternity, also breaks in upon the routine of civil and industrial life. In both cases it seems to be desirable that the primary needs of society in defence and reproduction should be recognized as special functions which require human energy, devotion, and time, and that the social order should be so arranged as to allow for their due and efficient fulfilment. But neither of them involves lifetime work, such as that of a staff officer, schoolmistress, housekeeper, or nurse, whose specialized services can be paid for from the earnings of people with a higher aptitude for other work. And they seem no more to require a separate status than the professional soldier or the skilled craftsman necessarily requires, as in the Orient, to be given, and to be limited by, a special status or caste.

We have, then, the swing between the claims of women of energy that there shall be equality of opportunity, whereby the inequality of gifts may be allowed due weight, and the claims (apart from all question of the men with whom these women would compete economically) of believers in a settled order in which society shall give an institutional recognition to the function of motherhood. According to these latter, this function should be associated with other functions which have to do with the care of young people—functions which occupy a lifetime and require for their performance a livelihood. They would allocate to those who perform this group of functions a definite conventional status into which one is born and out of which it is disorderly and anti-social to step. All the principles of political science warn us against any hope of establishing some final and absolute balance between these two claims, that of the individual man or woman and that of the race in connection with which the father is biologically important only as begetting, as providing protection if needed, and such sustenance as the mother cannot procure, and in accordance with which the mother is preoccupied with what is necessary for the rearing of healthy children. This latter claim, it should be added, happens to receive interested support from a specifically masculine demand for the control of the world of affairs by men, in view of certain qualities of physique and of militancy of attitude —a claim which (perhaps rashly) presupposes a demand for these qualities to a degree that renders negligible all consideration of more specific qualifications for a task.

The adjustment of this balance in a fashion consonant with the needs of a given civilization is a matter of the intelligent *social control* of institutions and conventions, involving such problems as the removal of legal disqualifications (and not a few of the privileges of protected persons) from women, dowry and inheritance rights, equality of education, maternity benefits, legislative protection of the children even by restricting by law the activities of the parents, the eugenic regulation of marriage, family endowment (whether of the natural or the legitimate family), safeguards against a general reduction of real wages due to the employment of women in industry, and the like. It is also a matter for exploration in the immense field of medical *research*, where discoveries may be made as revolutionary in their effects on civilization as any mechanical invention has been. The improvement of technique of birth-control is an instance of an innovation of which it is impossible to over-estimate the significance. In terms of an economic civilization requiring the employment of both men and women, it is necessary to strike a balance between objections to restraints upon the exercise of individual ability, and hence upon human happiness, on the one hand, and, on the other hand, the impoverishment, perhaps, of civilization in certain Western areas of the world by a shortage of population (until machines can better replace men), the consequent weakening of national ambition, the hampering of outstanding ability by the disproportionate growth in numbers of an ill-bred and ill-nurtured, unhealthy and low-grade population, and the growth of a sense, among the next generation itself, of restricted opportunities owing to parental neglect.

With a greater eugenic and biological knowledge we might answer the crucial question of whether physical and mental qualities (or the predisposition to them) are inherited and of whether women of admittedly better stock ought to have families in excess of the replacement birth-rate. On the other hand, any system which repressed the personality of at least half of humanity would be no inducement to propagation, even if those who had the misfortune to suffer under it were of better stock. Under any system of free control of birth an increase of population can only come from belief in life and from joy in living, and in the thought of others living. For the moment a reduction of the birth-rate, a concentration of wealth, and stress upon advantageous education and power, are the defensive tactics of the intelligent in the world as at present ordered, in which success is not a social reward but an individual conquest.[1] A fighting institutional group, like the hierarchy of the Catholic Church, may, of course, adapt the opposite tactics of playing General Staff to an ever-enlarging rank and file.

That the restriction of the freedom of men, but also (and peculiarly) of women, is demanded in the interest of Society, of the spirit of the community, of the spirit of the Hive, for the sake of the race, of coming generations and the life of the community—but apart altogether from the happiness of the individuals of these future generations—is a doctrine which involves that metaphysic of group personality which we have already criticized. That civilization should not be rack-rented, but that the full exercise of the abilities of our generation should be scrupulously conditioned by the specific claims to the full exercise of their abilities, physical and mental, of the more numerous generations which follow after us is another matter. That these claims, however, involve an allocation of a limiting status to women is historically unsound as an explanation of the growth of this status out of the conjunction of weakness with jealousy, while it is unwarranted if it be presumed that children derive any benefit from a general limitation on the development of the powers of their parents. The biological argument would rather seem to be in favour of encouraging those persons most fitted for parenthood and most capable of self-sacrificing devotion to the future of civilization to develop devotedly their qualities and abilities and of encouraging those least fitted for parenthood also to develop their qualities and disabilities. The real issue concerning the balance of power between the sexes is to obtain a satisfactory re-accommodation both in domestic, matrimonial and sexual life, and in the industrial world, under the conditions of a civilization where the need for security and for male force is less and the value set upon liberty to pursue one's own wishes and ideals, as well as the power given by conscientious application in civil pursuits and by feminine industrial aptitude,[1] is greater.

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[1] Closely connected with this is the problem of whether the man of socialistic principles is entitled to large private wealth pending general legislation. The answer must be in the affirmative. It is a matter of "war-kit",—but the war-kit is not his to dispose of at will.

Race Groups. A further grouping, which is dictated by nature rather than by the interests of man and into which the individual enters not by choice but by birth, is that of race. Such races as those generally called the Nordic, Mediterranean, and Alpine are to-day too much mixed, too much a matter for dispute among anthropologists themselves, too little distinguishable to the casual observer, and too much lost in national differences to have political importance save as a basis for alliances between nations in Pan-Slav, Pan-Latin, and similar movements, and for confederations, which are often as much linguistic and cultural as racial and biological. The same is not the case with the great divisions of the world by colour into Mongol, Circassian, and negro, such as may be apprehended as strange by, and arouse the passions of, the most uneducated. Even here, between Portuguese and Moor, between Georgian, Armenian, and Parsee, between Magyar, Turk, Finn,

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[1] The extent to which our age is one of transition of attitude, owing to the increased economic independence of women, is well illustrated by excerpts from the writings of two contemporary students of social conditions. "My proposition that marriage has been instituted and maintained for the sake of the protection it affords to women and children means that society as a whole, everywhere and in all recorded times, has recognized the need of such protection and has put upon young men such pressure as forces them to enter into the bonds of marriage as the best way of satisfying the desires named" (W. McDougall: "Marriage and the Home", *Forum,* July 1928). "But I'm not sure I want to marry him. I haven't too much confidence in his capacity. Why, I am earning more than he is right now" (quoted in B. Lindsey and W. Evans: *The Revolt of Modern Youth*). With the problem of greater independence in marriage and of the biologically desirable intensification of sexual competition goes the problem of divorce. Here the hardship inflicted upon the elderly and solitary woman by divorce or desertion is perhaps only satisfactorily to be met in a more intense form of community life than we have, generally, at present.

Siberian, Russian, Turkoman, and Mongol, the boundary lines lose that vivid abruptness which is necessary to arouse popular emotion. The divisions of races are blurred and are conventional rather than biological.[1] It is unnecessary, however, to select hard instances. The group divisions between Chinese and Australian or Californian, between Englishman and Hindu (however Aryan), between negro and American or South African, Dutch or British, are emphatic enough for the problem to be real.

Again, there is the claim for equality. Equality of opportunity does not of itself imply equality of ability. The principle rather implies that it is unjust to refuse scope to those who are superior among men unequal in ability. The two claims are, however, usually put forward together—and this is so much the case that distinction in common parlance is rare—because equality of opportunity is frequently denied on the ground that all of one group are inferior in ability to all of another group. Hence—so runs the argument—sound conventions will recognize this fundamental difference between groups, and not treat as able to do the same things those so unequal. Convention will stabilize an existing natural inequality. We may then either assert a fundamental equality of all individuals or we may admit inequality of gifts and ability between individuals, but demand equality of social opportunity ("fair play"). Or we may insist that, between given groups, this inequality is so profound that it cannot be bridged by the individual, and that the *carrière ouverte* need not be recognized in social convention. This last involves a statement of psychological and practical fact, admitting of test where white, yellow, and black are put to work together in the same factory or school. It may, however, be reinforced by the proposition that the inequality of status should not be bridged (whatever be the abilities of exceptional individuals), and that a *carrière ouverte* for the subordinate lends to insolence, social disorder, and unhappiness for all, and ought not to be recognized by convention.[1] Here we are establishing a system of castes based upon biological differences, but maintained as a matter of ethical and social principle. It is assumed that the subordinate races will not think of their relation as that merely of dominated to dominating, but will recognize that they are more happy when relieved of responsibility and permitted to live a childish life under paternal rule.

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[1] Ripley: *Races of Europe*, 1899, p. 112: "At the present time rarely, if indeed ever, do we discover a single individual corresponding to our racial type in every detail." A. Keith: *Race and Nationality*, p. 36: "Of all the inhabitants of the British Isles the (blond) Irish may be regarded as the purest representatives of the North Sea or Nordic stock." It is stated that, at the present time, many parts of France are more Teutonic than many parts of Germany. The above and other relevant facts are set forth by Professor Hankins (*The Racial Basis of Civilization*, 1926), who concludes that "this universal hybridity has made necessary the idealization of the types illustrated by the terms Nordic, Alpine, and Mediterranean" (p. 271). . . . "The main thesis of this book is that while all human qualities are found among all races of men, they are found in varying degrees. This means, for the point in hand, that while almost every type of political behaviour is possible for any nation, some types of behaviour are easier for some nations than for others" (p. 287).

The doctrine of equality of individuals, as has already been said, rests, not on the identity of their ability or of their pleasures or even of their pains (although the difference between the pains which men suffer in given circumstances is trivial compared with that similarity which is the basis of sympathy), but on the autonomy of the individual will. Pains are so far equal that it is intolerable that any man should be in active pain for lack of something which some man in the same community is able to give, and can give without loss to the efficiency or good life of the community, by mere abatement in the means of his pleasure. But, as has been pointed out above, the groundwork of equality is that each man is an entire person freely able to give or withdraw his voluntary allegiance to a given community. And this is true of every conscious being, black, yellow, or white, inalienably and as long as life lasts. The traditional doctrine here is impregnable and of impressive grandeur; and it is directly consonant with the political axiom that each man seeks to execute his own actual will. It holds also in the case of children, who have no *force majeure*, and of the insane, who are unable to agree and organize, but in their case its recognition is socially inconvenient. The problem is whether its recognition is, for other and good grounds, permanently socially inconvenient in the case of certain races.

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[1] H. von Treitschke: *Politik*, 1913, I, p. 191: "It is, upon the whole, an advantage when constitutional laws consider and emphasize the natural inequality among men."

To demand the right to compete is not to admit the pleasure of being competed with. Such competition is a restriction, and a superior race, able to arrange the methods of competition in such a way as to allow its own members the maximum of scope, of power, and of enjoyment, is naturally impatient of it. If it can act together as a race, instead of being divided by calculations of private advantage, it can prevent such competition and thereby contribute to its own gain and to the immediate strength and prosperity of those of its stock. And it can be argued that immediate advantage is the best guarantee of future well-being. The poor white in South Africa, did he wish to do heavy manual work, could not prevent the Boer farmer or the Rand magnate from employing the cheap and brawny black labourer, because it is too much to the advantage of those dominant groups to do so for them to refrain. But in alliance with these groups he can prevent the negro from owning land or property and segregate him, so as to leave the tenancy of desirable lands and premises to the white. And if the black is able to overwhelm the white by numbers, is able to compete with him successfully under mechanical and natural conditions which know no distinction of race, and yet has a different and objectionable culture and emotional habits, and will permanently only contribute something to civilization which the white can contribute and contribute much better, the white is justified in such conduct, far more than many of those who have waged national wars are justified. It is not necessarily the case that the race which can give most to the culture and good of humanity, in the opinion of third parties (let us say the yellow race), will flourish under all conditions of social, any more than of natural, environment. The "Nordic race", it is alleged,[1] despite the history of the rise of the Industrial Revolution in northern countries, is not adapted to conditions of keen industrial competition any more than the Jewish people is able to come to its own in a military civilization.

The ancient culture of the Chinese, Japanese, and Hindu peoples makes the claim untenable that they are intellectually or emotionally incapable of making any contribution to civilization which the recently civilized peoples of Europe cannot make also and better. However violent the difference of culture between the eastern parts of Asia and the western parts of Europe and North America, the difference is comparable to that of nationality and is not one of patently superior and inferior civilizations. It is uncertain that the lamp of enlightenment would be extinguished if all the whites died in a generation without children, and if the yellow peoples were left to carry on civilization. Nor is intermarriage biologically or psychologically always unsatisfactory between a Frenchman or Englishman (or woman) and a Hungarian, or Finn or Turk, or Siberian-Russian, or Japanese or Chinese, any more than with a Canadian trapper or with a Rumanian grandee. As, however, the Roman Republic discovered long ago, the test of equality of opportunity as distinct from caste is the granting of the *ius connubii*. Where this is refused, peoples are unassimilable. Hence the race question, as distinct from that of superior nationalities, in practice resolves itself especially into the problem of the negro race.

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[1] Inge: *Outspoken Essays* (second series), 1922, p. 210.

In countries into which the negro has been brought in large numbers, or in his native land, although the hand of adversity and the burden of toil may teach him, as the European barbarians[1] were taught by the Roman, a new civilization, no satisfactory balance of both races in one genuine community would seem to be possible until *research* has taught us more about the proportional rate of increase of pure black and pure white populations under the same conditions. Information will also be required about the rate of decrease, as against pure whites, of a mulatto population, in which the natural tendency of black to cohabit with white rather than with black is countenanced, and about the tested ability in the various activities of life of the mulatto, in relation to the white in an equivalent position, under at all equal conditions. It has to be asked whether segregration by place or caste does not involve either deliberate medical extermination or a great increase in the pure black proportion of the world's population and the dying out of a pure white aristocracy. The plantation system, even at its most exploitative, may, like other governments of the strong hand, be good for the black after years of misery, if he proves to be able to learn from his taskmasters, but may anyhow make for the degeneration of the wealthy white. On the other hand, it may be that the fierce competition of individual members of both races, under conditions in which group support was discouraged, might call forth the abilities of the black while emphasizing the superior abilities, if they be such, of the white. Group competition may be of little avail if, instead of conquest and amalgamation, the inferior group grows in the numbers of its ill-developed human beings and the superior group declines in numbers while encouraging, by the solidarity of the group, its worse members in their ineptitude and in their parasitism at its expense. These are matters not yet for answer, but for question, and especially for question to biologists and psychologists.

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[1] *Aberdeen Breviary*: "But the" (North British) "race whom he" (St. Waloch) "preferred to convert to the faith of Christ . . . no one would hesitate to describe as fierce, untamed, void of decency of manners and virtue, and incapable of easily listening to the word of truth, whose conversation was rather that of the brutes that perish than of men . . . but like brute beasts were given to eating, sleeping, and gorging."

In countries, however, in which the negro is not yet settled, the very doubtfulness of the right answer to the problem points to a policy of exclusion until such time as it is accepted that the production of the mulatto by miscegenation and his gradual elimination by selection and mixing with whiter strains is the right way in which to balance the demand for liberty and the pursuit of happiness on the part of the black and of other African races, with the probable verdict of history in favour of the higher contributions to civilization of Mongol, Hindu, Semite, and European. Such a verdict, however, can itself only be rendered after due consideration of the Mashonaland remains of negro culture and of the mighty work of the Hamitic Pharaohs. Politics teaches us that the demands of the individual cannot be permanently ignored; biology teaches that the battles of races are fought in the birth-rate; economics that the higher civilization does not necessarily go with the higher birth-rate. Altruism, on the other hand, does not insist that the better civilization or culture shall be sacrificed to the worse, or that one man, whatever kind of parent he be, is necessarily to be regarded as being as good as another from the standpoint of the historic good of human civilization. If, then, the negro chooses to gratify himself as an individual while eliminating himself as a race by intermixing under disadvantageous conditions with the white, it is for biological science alone to say "nay". It is for it to say whether other peoples will suffer permanently, mentally or emotionally, more by a slow infiltration, followed by elimination, of alien blood, than by a disproportionate increase, in this small and limited globe, of pure negro stock. In this, as in the preceding case, the power-holders have to consider whether their conventions are for the best advantage of their own descendants and of the civilization in which they share as well as for the freedom and good pleasure of individuals.

National Groups. The national group is, of all, one of the most practically important and one of the least capable of theoretical definition.[1] It marks the transition from the group involuntarily delimited by natural facts to the psychological group built on common sentiment and like-mindedness. Usually united by blood, but not so in the case of the Swiss, the Americans, or the British, the nation is customarily coterminous with the people of the State (resident aliens apart), but as with the Germans it is sometimes broader, and as with the Welsh is sometimes narrower than the State community. The insurgent nationalist movements themselves were in most cases able to overcome the sentiment of loyalty to the existing administrative order, thanks to the vehemence of the resentment of people discriminated against as an inferior order by a dominant class which controlled the administration and was conscious of privilege of blood. But the secret, nevertheless, of the strength of the nationalism of the last century is the customary identification of national and administrative areas, and hence the fusion of the sentiments of nationality and of loyalty. Frequently, then, and insurgent minorities apart, the sentiment of nationality is bound up with the country of which one is a citizen, but not entirely in the case of the Jews, or with a language, but not in the case of the Swiss, Canadians, or Scots. Essentially nationhood is an act of belief, although the cultural artifact is grafted on a fact of nature. What is essential for the adopted son or naturalized citizen is to enter into the tradition of the nation and its way of thinking rather than to possess the hereditary characteristics of what in every case is a mixed stock. With the

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[1] "Nationality is a form of corporate consciousness of peculiar intensity, intimacy, and dignity, related to a definite home country" (A. E. Zimmern: *Nationality and Government*, 1918, p. 96). Such an identification of nation with country would speedily lead to nation becoming synonymous with the present or erstwhile members of a State, whose frontiers delimit the political area of the country—terms distinguished by Professor Willoughby in his division between "people" and "nation" (*The Nature of the State*, 1896, p. 10). Professor Zimmern elsewhere explains and modifies this position: he asserts that what matters is the *tradition* of a common past. "Nationality, in fact, rightly regarded is not a political, but an educational conception" (*ibid.*, p. 53); "Nationality is subjective, Statehood is objective." Hence we are brought across to the position that, of a nation or national group, 'tis thinking makes it so (e.g. the English, the British, the Canadian, the Anglo-Saxon). Nationality is primarily a matter of sentiment (A. van Gennep: *Traité comparatif des Nationalités*, 1922, I, p. 12), based on common descent, traditions (J. S. Mill: *Representative Government*, ch. xvi), common language (W. von Humboldt: *Thoughts*: "It is the native tongue which emphatically constitutes home"), or a common culture, especially linguistic (Carlton Hayes: *Essays on Nationalism*, 1926, p. 5). It seems difficult to improve upon the old definition of Renan (*Qu'est-ce qu'une Nation?* 1882, p. 26): "Une nation est une âme, un principe spirituel. Deux choses qui, à vrai dire, n'en font qu'une constituent cette âme, ce principe spirituel. L'une est dans le passé, l'autre dans le présent. L'une est la possession en commun d'un riche legs de souvenirs; l'autre est le consentment actuel, le désir de vivre ensemble, la volonté de continuer à faire valoir l'héritage qu'on à reçu indivis. . . ." (p. 27) "L'existence d'une nation est un plébiscite

de tous les jours." A nation is in short a cultural unit organized on the basis of certain facts, rightly or wrongly associated with the notion of descent and kinship, estimated as a sentimental cause for association. As a sentimental association it is one possible ground upon which may be built political and administrative organization. In the opinion of many—an opinion which has been the popular one for the last sixty years—no organization of human life can appeal to men so forcibly as the nation (F. Meinecke: *Weltbürgertum und Nationalstaat,* 1911, p. 8—the first edition was in 1907, dates perhaps significant).

nation we pass across from the biological group, with its problems of social adjustment, which require especially biological and medical study, to the cultural group, with its predominantly psychological problems.

The spirit of nationality is the spirit of the hive where the hive is constituted by a people thinking of themselves as of common descent (*natio*). It is unnecessary to assume, with the school of Savigny and Puchta, that this spirit is something distinct from the tradition of the people formed by the common opinion of the predominant part of them in the past and impressed, at the present, upon individual minds from without by education. It is, however, something so far objective that this sentiment of the "we group", of those who call themselves "us" and are of the nation, makes all merely individual interests appear trivial, even in the eyes of the individuals themselves.[1] Devotion to it is able to make my wish and will something divorced from such objects as the enjoyment of health or of wealth. And certain chords of a human nature which rejoices in the astringency of self-sacrifice, the sociability of collective action, and the adventure of great movements respond. Indeed, did everybody find satisfaction in the collective action of the nation, even although it led to the clash of nation with nation according to the political law of the maximalization of power, even although it led to destruction, death, and the impoverishment of civilization and the means of culture, there would be, from the point of view of politics, no problem to be solved since no wills would be frustrated, any more than in the unceasing battles of the heroes of Valhalla.

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[1] It need scarcely be pointed out that the view of the nation as the predominant "we-group" is not one which has been entertained during most of the centuries of the world's history. Even in primitive tribalism it is dubious how far the supposed blood-group (basis of nationality) has played the exclusive part in building up political organization, as distinct from considerations of contiguity and of duty to the area organization defending the peace, prestige, and happiness of the locality (basis of loyalty and patriotism). Cf. R. H. Lowie: *The Origin of the State*, 1928, p. 67: "It is easy to say that the sense of blood relationship is primary, but very difficult to prove; for what we observe is not such priority, but the inextricable union of the consanguine and the local bond."

In fact, however, this is not the case. As Plato long ago observed,[1] the State exists for peace and not for war. National States have wishes to be carried out, other than the gratification of the joy of combat, and the satisfaction of these wishes involves accommodation and balance between nations. And within the nation the individual has other interests, which must be accommodated with that of the nation, just so far as the Nation-State does not provide its members with all the advantages of the good life as each understands it, or which each in fact demands. Education may, of course, limit actual demand and even circumscribe the nationals' notions of the good to the ambit of the national community. But to the degree to which a nation is neither entered nor left by an act of free will, resistance to a civil authority, felt as external, must be expected even from men of a socially minded disposition. The interest of the individual in the pursuit of the realization of his wishes and ideals may be antagonistic to the rivalry of nations and to the interest of the nation in the struggle for national power. The action dictated by the direct interests or the personal ideals of the individual in the light of his own experience may be in conflict with the action dictated by the interests of the group from which, as a member, he indirectly benefits. The obvious cases are those of war and of the increase of population as a national asset in competition. On the one hand, the individual may be interested in the quality rather than the quantity of his children or he may disapprove of a national war on ideal grounds. On the other hand, weakness of corporate spirit, a reduced population and lack of devotion in war, may be fatal to a nation in its rivalry with another nation, which may well be believed to be of inferior civilization.

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[1] Plato: *Laws*, I, § 628; cf. Aristotle: *Politics*, II ix.

The contempt of the Hellene for the Barbarian should lead us to be hesitant about rashly denominating nations as inferior or superior, just as the French comment on the medieval inhabitants of Britain as characterized by levity,[1] and the Italian comment in the sixteenth century on English women as "very violent in their passions",[2] should render us sceptical of the persistence of national characteristics. It may, indeed, be admitted that some nationalities have been superior to others in their contribution to the total of civilization, and it may be presumed that each man will suppose his own nation among the first and desire in every way its advancement. It nevertheless remains true that the nation-community is not a strict biological unity, defined by nature and incapable of contraction or expansion, but is rather a stage in the development of social organization across from the family, village, and tribal kingdom to the race and humanity itself. It is to the community that devotion and allegiance is everywhere due, and its advancement is sought as contributing to the welfare of the individual and to the good of civilization. It merely happens to be the case that the community in question is the nation-community and not the clan, or tribal kingdom or larger organization. Moreover, these contributions to the good of the individual and of civilization can, under conditions of peace, as well be made by a nation[3] as a coordinated part of the whole body of nations as when it acts as an independent, sovereign unit. The nation, once it has been built up by traditions and language, is a permanent unit of cultural life, and nations are to be respected as making distinctive contributions to civilization; but it is no more clear in this generation than in the age of Metternich and Pio Nono that they are the only possible forms of cultural life or are the only possible recipients of the loyalty due to organizations of communal life.[1]

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[1] E. Barker: *National Character*, 1927, p. 8.

[2] *Relation of the Island of England* (Camden Society Publications, 1847), p. 24.

[3] The weight of national patriotic opinion may make most valuable contributions to the positive advance of civilization by, e.g., encouraging emulation in raising the standard of living, and by stigmatizing a selfish individualism in no uncertain fashion. The nation may be sufficiently a like-minded group to insist that each of its members shall be considered, and honoured, as a citizen and to brand as unpatriotic a situation whereby, e.g. (Chas. Booth: Presidential address, Royal Statistical Society, 1892), "the dock managers accepted the crowd and the struggle at the dock-gates as an inevitable phenomenon which happened to fit in well with the

The nation is, then, one form of community group, and nationalism can be supported by all the forces which make for emphasis upon the importance of the community, of the authority of the community, and of social order. But the nation can exist without being the supreme

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conditions of their trade. They could always be sure of sufficient labour, and though its quality might be bad, its pay was correspondingly low" (note the use of the neuter "it"). A patriotic tradition, however, may be more active in foreign affairs, as xenophobia, than in domestic well-doing.

[1] Certain writers tend to identify the "people" of a State with the nation. The State is distinguishable from the nation because it is "States which make nations, but the nation is a body of men who . . . cherish a common will, and accordingly form, or tend to form, a separate State for the expression and realization of that will" (E. Barker: *National Character*, pp. 15, 17). This civil doctrine of nationality presents several difficulties, but especially that, contemplating a world in which at the moment States tend to be chopped down to supposed national boundaries, and nations are expected, alone or hyphened (as in Czechoslovakia) to other nations, to assume independent Statehood, it justifies the *Zeitgeist* as natural and inevitable. It is not, however, clear that national culture is always best served by being loaded with the largely irrelevant responsibilities of civil administration or that areas larger (as Great Britain) or smaller (as the Reich, or the city State) than the nation—giving "nationalism" independent value as distinct from "patriotism"—may not function better as sovereign civil units. There is nothing in history or reason to render conclusive the supposition that the nation need be the ultimate civil unit, although there is some reason for supposing that it is one very natural area for certain purposes of administration. The opposing theory is maintained by Professor Zimmern (*The Third British Empire*, 1926, p. 130): "The theory of the nation State is unsound, I repeat, because it is based on a confusion of thought, a confusion between government and nationality, between free institutions and national institutions." *Ibid.: Prospects of Democracy*, 1929, p. 25: the solution is "to depoliticize nationality and to de-emotionalize politics".

organized political form of the community, and, conversely, there are other forms of political organization besides the nation. Indeed, the strict identification of the two is still relatively rare. Especially in the British Commonwealth the political organization to which allegiance is due is far broader than any one of the component nations. The doctrine of the Nation-State always, in the British Commonwealth, trembles on the verge of treason. In the United States the so-called "nation" embraces many nationalities and is merely a synonym for the inhabitants of a given political area. In a world in which it is possible to have a loyalty to Pretoria, the Transvaal, S. Africa, to the British Commonwealth, to a World League, it is often difficult to locate precisely where the focus of loyalty is to be discovered. The success of the organized nation in contributing to social order, as distinct from contributing to human culture, depends upon the fact that the area of the national group approximately corresponds to that of the area in need of organization to meet the requirements of a particular civilization—a requirement not met by the Scottish, Welsh, or French-Canadian groups, or by the national groups in the metropolitan cities of America, or, probably, by any nation whatsoever under the conditions of twentieth-century civilization. If the appropriate administrative area for many civil and military purposes is smaller than the nation, a feudal civilization arises; when, for all purposes, a City-State civilization comes into being. If the appropriate administrative area is larger, the notion of the nation becomes detached from that of the political organization. Men are forced to admit that the peculiar contribution of national culture involves the recognition of cultural autonomy, but that cultural autonomy is not necessarily bound up with political sovereignty.

Where minority problems have been acute, as well as in the Orient,[1] interests bound up with the existing order have refused to recognize that the cultural freedom of peoples with some common bond of tradition or language is not the same thing as civil rebellion and administrative secession. Only slowly has the need for cultural autonomy, although not necessarily for a Chauvinist administrative sovereignty, been admitted. The world might for certain purposes be under one administrative system of international conventions without the sense of nationality being destroyed. On the other hand, where the exaltation of the principle of nationality has been rampant, there has been a failure to recognize that nationalism may be a reactionary movement under which a high exaction of duty and obedience is made without the nation being competent to render any corresponding return in security and in the efficient coordination of the means of civilization.[2] Sectional interests, however, may be benefited by the maintenance of the present nationalistic system,[3] just as at one time the competing mariners of Dover and

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[1] A striking protest against government by a national culture group which declines to recognize the autonomy of another culture group in the same civil organization is made by Rabindranath Tagore (*Nationalism*). The book is marked by indifference and even hostility to the Occidental passion for binding up cultural with administrative values by insisting that no group is entitled to national rights which is not called a State. J. S. Mill had already asserted that one people "does not and cannot govern another" (*Representative Government*, ed. Routledge, p. 323); Tagore declares that, although forms of Government are trivialities, it is fundamental tyranny for one culture to suffocate the spirit of another culture. Cf. Lord Acton's denunciation of the usurpation by nationalism of administrative organization (*Essays*, 1922, ch. ix).

[2] T. G. Masaryk: *Die Welt-Revolution*, ed. 1927, p. 467: "Not love for the nation but Chauvinism is the enemy of the nations of mankind. Love for the nation does not imply lack of love for the other nation." Cf. H. von Treitschke: *Politik*, I, p. 29: "No people ever attains to national consciousness without overrating itself"; the development of civilization *emphasizes differences* of national character (*ibid.*, *Die Freiheit*, p. 3). Sydney Brooks: "The Dream of Universal Peace" (*Harper's Magazine*, November 1916): "There is a fundamental antinomy between peace and patriotism. . . . Nationality, there is the enemy."

[3] J. A. Hobson: *Imperialism*, 1902, pp. 51–3; T. P. Moon: *Economic Imperialism*, 1926, p. 533.

Lowestoft felt that their interests were benefited if it was recognized that the town was the unit of loyalty and that these towns were free to indulge in bitter private wars. Here the danger lies in treating nations, not as cultural units or as administrative areas, but as trade units, and this, not for the protection of the citizen's standard of living against unfair competition by outsiders or immigrants, but for the advantage in the foreign and home markets of certain industries.

Where the nation is not a sovereign political organization, but simply consists of those of a common culture of tradition or speech, where it is a group of men like-minded with each other, there will be no question of national status and balance of power, any more than there is seriously to-day among law-abiding national groups in the United States, in so far as they are recognized as equal in terms of citizenship of a single broader community and recognize its higher and inclusive claim to the performance of duty. But this freedom through coordination in terms of a larger organization can only grow desirable if the Nation-State ceases to be any longer as it is now, thanks to the intense sentiments of loyalty which it can arouse, the organization (however clumsy) best capable of maintaining security and of evoking from the ordinary man the response of duty and devotion in the performance of his public services. The Nation-State can only be superseded as a civil organization when (leaving out of account those whom neither nationalism nor any other appeal can arouse to the generous performance of duty) those capable of idealism have this sentiment more passionately aroused by some broader organization. Normally, the broader the organization the less intense the sentiment it can arouse; nor will nationalism die, any more than dogma about salvation, until it dies from lack of interest in its *odia* *politica.* Cosmopolitanism is "watery",[1] although the ideal of "internationalism" or of "the good of humanity" is no more necessarily "abstract" than the notion of God. Nationalism, however, appears to suffer from the weakness that the nation is too large to appeal to the sentiments on the ground of a personal sense of common purpose, while it is too small to appeal to the imagination by the glamour of magnitude. One of the most interesting problems of our day is whether sentiment can cross straight from nationalism to internationalism or must find a half-way house in such sentimental groups as the Pan-Slav, the Pan-Teutonic, or the Anglo-Saxon, built upon the greater sentimental affinity that exists, e.g. between Canadian and American than between Englishman and Abyssinian.

Pride in a common tradition and in a common outlook upon civilization and in common manners in the everyday conduct of life may lead anyone brought up in the Anglo-Saxon world to view with satisfaction the maintenance by the British and American federations of a strength in relation to the rest of the world, such as assures the upholding of their peculiar standards of civilization and a future for their children in accordance with their habitual style and manner of living.[2] A reasonable pride in such a tradition[3] may lead one to regard with disapproval any parochial attitude towards the common interests of this civilization on the part of Westminster and the "little Englander" patriots, or of Washington and of the aggressive groups of recent immigrants, or the adoption by any capital in this Anglo-Saxon world of the "racially" disloyal attitude of Vienna towards Pan-Teutonism.[1] It is not, however, yet certain, when men have left behind the narrow love of the village and the country-side, have left behind the more recent but tested love of the nation, and have tried such sentimental innovations as loyalty to a confederation of nations, that units larger than the nation—"racial" in a cultural rather than in any precise anthropological sense—are likely to call forth any more intense devotion than the ideal of a genuinely non-national organization for the promotion of the facilities of civilization and for the preservation of peace.

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[1] *ὑδαρὴς φιλία* (Aristotle: *Politics*, II, v).

[2] An unnecessarily Chauvinist expression of this view is to be found in the words of Joseph Chamberlain (*Foreign and Colonial Speeches*, p. 6): "the Anglo-Saxon race is infallibly destined to be the predominant force in the history and civilization of the world". It is, however, not unreasonable to maintain that in the process of passing over from the sentiment for the manor and county, or for the little nation (Scotland, England, etc), to sentiment for such world civilization as may come to be, an intermediate stage may be found in patriotic sentiment for civilizations united by a common tradition.

[3] Carlton J. H. Hayes: *Essays on Nationalism*, New York, 1926, p. 15: "In modern times the use of the English language in the United States tends to link American thought and action with that of England, and at the same time to obstruct the growth of an absolutely separate American nationality. Language is not the only mark of nationality, but if we will

The answer would seem to be that neither international nor "racial", nor even national groups are alone able to provide the social discipline which the sense of com-

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forget for the present the division of the world into sovereign political States, we shall be in a better position to recognize that English-speaking peoples, wherever they may be, constitute a nationality in contradistinction to the French, the German, or the Chinese nationality."

[1] The writer does not wish to deny that those who regard the British Confederation as a political and diplomatic appendage of the southern part of the larger of the British Isles, the United States as a schismatical foreign Power, and England by virtue of its geographical position on the fringe of Europe as a part of the Paris-centred European diplomatic system, are persons possessing a certain local patriotism. He merely is of the opinion that they are guilty of a contemptible treason, whether it be their will or their wit which is at fault, against the history of their forebears and of the Anglo-Saxon tradition, and that, owing to the inevitable movements in the relative sizes of populations, their policy bids fair to place England in the twentieth century in the position which Holland and Sweden have occupied since the eighteenth century. Upon whether such a modestly useful future after the Scandinavian model would be for the ultimate happiness of this renowned and proud land the writer can venture no opinion. But the sooner the Little Englanders either change their policy or have their Sadowa, the better alike for Anglo-Saxon civilization and for the peace of the world.

munity life gives, but that smaller and more homogeneous units are also necessary. Certainly that man loses who has never known an absolute devotion, to whatever group or hierarchy of groups it be given.

Culture Groups. Like-minded groups are not necessarily tolerant of each other, because they do not aspire to be the whole community themselves. Where national feeling dies down, the feeling of social superiority in culture flares up. And nothing can make those who are incompatible in their manners, customs, and emotional life, other than mutually insupportable and (in the opinion of each) unequal. Only slowly do men come to recognize that they are not omniscient, and that, therefore, all ideals, however cogent and rightly cogent for themselves, are relative; that there is no absolute ideal of civilization, Hellenic or Monastic or Parisian or American; that the multiplicity of ideals in the conduct of life is a permanent political fact. The "aristocrat" continues to regard the ideal of the "democrat" as vulgar and contemptible, and the "democrat" regards the ideal of the "aristocrat" as decadent and contemptible. They ask for some final judge between them and fail to recognize that no one in the world is competent to pass judgment between persons whose lives have different bases in the experience upon which they build up their philosophy. The culture group, moreover, is of the very essence of social life, and to destroy it is to destroy the free habit of living with those whom one happens to like. It corresponds with the variety of human ideals and character and with the profoundest psychological demands of human nature. No community is more tyrannical than one which chooses one's friends for one—*la Faternité ou la Mort.*

Town and country groups, national groups in a larger community, religious groups, groups of like manner in social life are all culture groups of this type. Identification of experience, such as has been in part wrought on a low level of experience by radio and film, machine and education, between the chronically dissimilar groups of townsman and countryman, is alone able to unite them. And in culture groups the conflict is clear between the demand not to be restricted by exclusion from groups which possess power and resentment at their possession of it, and the desire of those who wish to live together to establish a convention, live by it, and exclude from the group those who will not conform to it.

A culture group is not necessarily a power group or conversely.[1] A certain type of culture, not that of ascetic philosophers or of monks, but of a princely society, may require wealth and thus far power. Its ideal is a leisured and apolaustic ideal. It may be argued that the culture is so excellent that it justifies a monopoly of power in order to maintain it. Other societies, such as that produced by the American public-school system, are peculiarly intolerant of the association of power, which all alike desire, with a group culture, which is exclusive. It is necessary, therefore, to distinguish very clearly between the pure culture group and a group of persons of common economic or political interests, which as a consequence develops a common outlook and culture, and as a privilege group seeks to maintain those interests by an exercise of power. One of perhaps the best hopes for civilization is that privilege groups in a horizontally stratified society will be replaced by genuine culture groups in a vertically diversified society, in which the emphasis will be, not so much on superiority or inferiority by some such standard as wealth or power, but upon variety in experiments in the art of living.

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[1] The culture group, or Epicurean friendship group, rests on a sense of affinity. It is for its members *bonum in se*. "The truth is that all expression, by the dolt or by the artist, and all communication, from the casual talk of acquaintanceship to the deepest intimacies of a perfect love, have their source in the elemental passion to impress and to know one another, and to define the consciousness of kind" (F. Giddings: *Principles of Sociology*, 1896, p. 109). The privilege group may be a culture group, but it is something more. Its ideal fighting strength lies in its being a culture group, but it may be merely a heterogeneous alliance for utilitarian purposes. It is privilege groups which Jefferson alluded to when he declared that among European Governments, "under pretence of governing, they have divided their nation into two classes, wolves and sheep", and which R. W. Postgate has in mind when he says that "class struggle is the only principle upon which history can be explained" (*Bolshevik Theory*, 1920, p. 21), and negative privilege groups which Luther had in mind when he exhorted the German knighthood, in dealing with the insurgent peasantry, to "stab, cut down, and dash their brains out, as if they were mad dogs". Cf. S. and B. Webb: *Decay of Capitalist Civilization*, pp. 59–60: "What is called in Britain the governing class (which includes a great many more persons than are engaged in political government) is, typically, the class that passes its life in giving orders. What are called the 'lower classes' are those that live by obeying orders." From exclusive emphasis upon the nature of the privilege group, arises the philosophy of the Communist Manifesto ("Political power, properly so-called, is the organized power of one class for oppressing another") and of Lenin ("The State is the organ of domination of a definite class which cannot be reconciled to its social antipodes"). The struggle for privilege is, however, but the self-defence of the group in a badly ordered society, and we must not lose sight of the permanent value of group life. There is, on the part of like-minded men, "a continuous and insistent demand . . . that they should be allowed, unhampered by other sections of the community, to determine the conditions under which they render their peculiar social service" (S. and B. Webb: *Constitution for a Socialist Commonwealth*, p. 277). "Groups have a special validity" for

The future of the world would seem to lie, as men become more fully conscious of themselves and more educated in their own gifts, with culture groups of which nationality offers an example on an extensive scale, but of which small communities, such as the Quaker settlements in Pennsylvania, with their intensive culture and homogeneity, offer more adequate instances. The town with a strong community organization, and in which most of the inhabitants may be connected with some one or two industries, takes a position midway between the occasional paroxysm of national sentiment and the everyday cooperation and mental co-education of a religious community. A group of friends living in

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the individual "because they are the channel of his deliberate preference" (H. J. Laski: *Grammar of Politics*, p. 257). This is a subject to which I hope to give further attention in a later volume.

proximity, interchanging ideas, and inspired by a strong, common purpose, or otherwise markedly psychologically stimulating and adapted to each other, is the most delicate of all forms of the culture group and the most advanced kind of society, compared with which everything else is colourless. Nor can any regulation or regimentation which breaks up such a group, or forces alien members upon it, be considered as other than an intolerable interference, because not a coercion of action, but an attempted coercion of sentiments. The establishment of a community is ultimately an act, not of force, but of the will, most perfect when it is most voluntary, so far as may be consistent with its being able effectively and efficiently to cohere.[1]

The danger with the culture group is that of intolerance.[2] The very demand for excellence according to its own standard for its members renders bad breeding, bad manners, vulgarity, cheapness, wrong views and attitudes insufferable to it. From its nature it must demand, not a lowest common denominator for working along together, but a standard according to which its members will live up to that best upon which the friendship or community life is founded. It insists upon the superiority of its standard to other standards for this very reason, that its standard has been deliberately chosen as one of excellence. It becomes easy that it should insist upon its standard of culture as being superior, not only for its own members, but for all other people, and that it should even take the step, although contrary to the living principle of a free association, of "compelling them to come in", or, more subtly, of compelling them to be educated in its supposedly absolute ideals. If it does not endeavour to become universal by converting or persecuting others, then, as an exclusive society of superior persons, it will arrogate to itself privileges from which it will tend to exclude others.[1] The fiercest, because most unpractical and impossibilist antagonism—that of rival ideals—springs up.

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[1] *Infra*, p. 419.

[2] "Delyanov (Education Minister under Alexander III) declared that the intermediate school was no place for the sons of cooks" (*Current History*, March 1928). This may, of course, appear a rather cheap form of culture group. The best instances of the intrinsic intolerance of the culture group are to be found in the history of religious movements and especially of the Franciscan Order.

To a philosophical quarrel the philosophical solution is that, since no man is omniscient, all notions of good whatsoever are relative, to be adjusted to each other in social practice by the numbers or intensity of feeling of their exponents. In practice, moreover, against the fanaticism engendered by intensity of feeling must be set the interest of the plain man, whose good is some form of human happiness and whose convenience progressively suffers as the warfare of intransigent ideals with the passage of time progressively destroys the benefits of civilization flowing from practical adjustment and compromise. The balance swings between the force of conviction, given by the pursuit of excellence, and the inconvenience engendered for an increasing number as an intolerant standard of excellence at once narrows itself and endeavours to coerce others by forcible inclusion or by the usurped privilege of the few.[1] The remedy of a psychological discontent, which is the mother of political unrest, would seem to lie, as has been said, in the substitution of collateral cultural groups for superimposed classes, especially where these latter are guilty of cultural tyranny and of inducing in what thus become "the lower orders" a sense of inferiority and servitude.[2]

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[1] The whole history of European (and Oriental) civilization to this day is a history of such class-imposed cultures. Cf. the protest of J. S. Mill: "Wherever there is an ascendant class, a large portion of the morality of the country emanates from its class interests and its feelings of class superiority"; also *Political Economy*, 1848, IV, ch. viii, p. 315; A. Vierkandt: *Machtverhältnis und Machtmoral*, 1916, p. 32: "Mit dem Klassenwesen verbindet sich überall eine Klassenmoral. Das heisst, die stärkere Teilgruppe bestimmt den Sinn der Moral" (cf. also *supra*, p. 305 n. 1). Perhaps the most valuable passages in S. Freud's *The Future of an Illusion* are those in which he discusses the damage done to social peace by the struggle of those dominated, but unadjusted, to a culture imposed from above as a convention by a superior class and proper to itself alone. Those dominated become ready to rise in revolt when stimulated by a leader, or by education or any other irritant force. The danger of having a number of "criminal" and "slave" cultures struggling under and against the imposed and conventional aristocratic culture and unadjusted to it, because it represents the appropriate convention of its own group and not of the whole community, is patent.

Interest Groups. The culture group is, as has been said, frequently but another name for a well-established and close-welded interest group, which in the course of time has acquired common customs. Of these interest groups, perhaps the most conspicuous are the wealthy or property-holders and the rulers or power-holders who, apart from a common culture which may prevail among them, have a common interest in the maintenance of their wealth or power.[3] Neither natural similarity nor choice of each other distinguishes the group, but some common third thing, the like possession of property or the like privileges of rule. Many other groups, besides those mentioned, will on analysis be discovered to be in large measure interest groups instead of the phenomena of nature or of moral idealism which they are assumed to be.

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[1] The transition from a tolerant pursuit of the ideal to the demand that all must be compelled to accept it, is shown in the change from the earlier tolerance of Augustine on the theoretical grounds of the nature of a spiritual religion (coupled with memories of the persecution of Christianity) to his intolerant demand for imperial action against the Montanists. "Compel them to be free", says Rousseau. First the dictatorship of the proletariat, then no more classes and the disappearance of the State, says Lenin. It is of the nature of an ideal society to exercise discipline: the only safeguard is that a free society should be one which it is actually possible to quit.

[2] Gumplowicz, *contra*, holds that the (superior-inferior) class structure is not an historical category, but immanent in all social structure; cf. Treitschke's dictum that "the masses must for ever remain the masses; there would be no culture without kitchen-maids". Professor MacIver (*Modern State*, p. 47) says: "Power is never a mere subordination of the many to the one. It is always a hierarchy. It implies a class structure." Presumably by "power" he here means "domination", not "coordinate control" (the most balanced form of power). The ambiguity is, however, clear when he continues (describing here the nature of a society where power is—at least partly—in a condition of coordinate control): "Power is the effective exercise of will, but even if it seems to pertain to the will of one, it requires a complex and graded organization of supporting wills—wills that participate no less than wills that acquiesce." The "wills that participatȩ" are the culture-makers; the "wills that acquiesce" are the culture-receivers and convention-receivers, the potential rebel rank and file.

[3] The theory is well known which explains the existing social order as a class-structure based upon differences of wealth. It will be found in

When the condition verging on active misery (defined in medical terms as means of livelihood inadequate for

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Plato ("there are always two parties at war with each other, the poor and the rich (*Rep.* iv) . . . hateful lords instead of allies to the other citizens, hating and being hated, plotting and being plotted against, they shall pass the whole of their life much oftener and more afraid of the enemies from within than from without" (*Rep.* viii)); in B. Thomas More ("a certain conspiracy of rich men seeking their own advantage under the name and pretext of the commonwealth"); and in Rousseau ("It is property which divides us into two classes, rich and poor; the first will always prefer their fortunes to that of the State, while the second will never love a government or laws that leave them in misery"—*La Législation*, 1776). The doctrine receives confirmation from Locke ("Government has no other end than the preservation of property"—*Civil Government*, II, § 94); J. Adams (*Works*, VI, ed. C. F. Adams, p. 531); Madison ("The only durable source of faction is property"); D. Webster ("If the nature of our institution be to found government on property, and that it should look to those who hold property for its protection, it is entirely just that property should have its weight and consideration in political arrangement"); Noah Webster ("Wherever we cast our eyes we see this truth that property is the basis of power"—*Pamphlets on the Constitution*, ed. Ford, p. 59); and in the remarks of Jefferson about English society being divided into "wolves and sheep" and about the two cities which Disraeli (*Sybil*), following Plato, puts into the mouth of one of his characters. It is expounded by Marx and in the Marxist doctrine of such writers as Oppenheimer ("Every State in history was or is a State of classes, a polity of superior and inferior social groups, based upon distinctions either of rank or of property. This phenomenon must, then, be called the 'State' ") and W. Paul (*The State*, 1917, p. 41: "The State is the weapon by means of which the subject class is held down; it is the weapon of class rule"). It is enunciated by such speakers as Liebknecht (speech on No Compromise); in the Communist Manifestos of 1848 ("The history of all hitherto existing society is the history of class struggles") and 1919; and in the writings of N. Lenin ("Marxists have always maintained that the more developed, the more 'pure and simple' democracy is, the more open, the fiercer, the more merciless is the class war, and the more 'pure and simple' is the pressure of capital and the dictatorship of the bourgeoisie"). This theory, alike in its interpretation of past history (nothing can be further from primitive aristocracy than "the systematic, brutal, cynical exercise of economic power"—Thurnwald: *Reallexicon der Vorgeschichte*, full health),[1] in which a not inconsiderable part of the population lives during no small part of its time, is taken into consideration, the possession by others of wealth more than is needed for reasonable present and future comfort may well appear to be indefensible and intolerable. This view is expressed by St. Ambrose in no hesitating terms when he writes that "whatever a man has which is more than sufficient for him is a usurpation and robbery".[2] Apart from the extreme statements of Tertullian ("*dives iniquus aut haeres iniqui*") and St. Basil the Great, one of the major doctors of the Church,[3] and the inevitable consequences flowing from the establishment of the monastic ideal of poverty, the received

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1924, I, *sub. tit.* "Adel") and of present history, seems to fall into the nineteenth-century mistake of exaggerating the importance, as a factor in moulding social structure, of the pursuit of wealth as distinct from the pursuit of power. Cf. "Pecuniary strength is reputable or honorific because, in the last analysis, it argues success and superior force" (T. Veblen: *Theory of the Leisure Class*, ed. 1899, p. 181). "Men desire power, they desire satisfactions for their pride and self-respect. They desire victory over rivals so profoundly that they will invent a rivalry for the unconscious purpose of making a victory possible" (B. Russell: *Practice and Theory of Bolshevism*, ed. 1920, p. 126). It is at least as true that "classes excluded from a share in power have always been classes excluded from a share in benefits" (H. J. Laski: *Grammar of Politics*, p. 27), as that "nothing is easier than to persuade men to exchange power for material comfort" (*ibid.*, p. 201). For the general theory cf. Duguit: *Traité de Droit constitutionnel*, I, p. 512. Cf. also Park and Burgess: *Introduction to the Science of Sociology*, p. 50.

[1] "The married women among the poorer classes, living as they do under wretchedly unhealthy conditions, are most of them chronically ill, and scarcely know what it is to feel downright well" (Dr. H. Campbell, in *The Drink Problem of To-day*, ed. T. N. Kelynack, 1918, p. 29); " . . . the hundreds of thousands of men, women, and children who at present are below the 'Plimsoll-line' of safety and comfort, and who never have the chance of living under healthy physiological conditions. They are, in fact, never healthy; their whole life is pathological" (Professor G. Sims Woodhead, in *ibid.*, p. 76).

[2] *Vide* St. Ambrose: *De Officiis Ministrorum*, Bks. I–III, for other comments in like vein on the duty of the rich to the poor as members of the same community.

[3] *Vide* Sommerlad: *Das Wirtschaftsprogramm der Kirche des Mittelalters*, 1903, p. 127 ff.; R. W. and A. J. Carlyle: *Mediæval Political Theory in the West*, I, p. 137 ff.

doctrine of Catholicism is noteworthy, in accordance with which a man is entitled to private property as a social trust and only to such profits as will enable him to maintain with decency his station in life.[1] The Canon Law, until modified in its application after 1830, condemned the taking of interest except as compensation against loss. To this day the Canon Law cautiously regulates it. The lender of capital was, during certain periods, liable to excommunication and to refusal of burial upon holy ground. The body of the capitalist was to be thrown out like that of a dog. The spirit of Papal principles is shown by the inscription of the Pope who had stamped on his coins the words: "Woe to you rich".[2] This social order presumed a society, not indeed of equals, but in which each man kept his place, and in which worldly initiative and acquisition were definitely regarded as vicious. The only initiative to be countenanced was that of the humble man for the glory of God. "Woe to them that add house to house and field to field." An ascetic religion dictated that the centre of gravity of interest and the treasure of value should be placed in eternity and not in the gratifications of one's lifetime. The mundane social system contemplated is functional but static, free from the vulgarity of upstart and unlovely competition.

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[1] S. Thomae Aquinatis *Summa Theologica*, II, 2, qu. lxxvii, art. 4. A "honestus finis" in taking profit is defined as "cum aliquis lucrum moderatum . . . ordinat ad domus suae sustentationem, vel etiam ad subveniendum indigentibus; vel etiam cum aliquis negotiationi intendit propter publicam utilitatem, ne scilicet res necessariae ad vitam patriae desint; et lucrum expetit, non quasi finem, sed quasi stipendium laboris". It will be observed that, although Aquinas cendemns the taking of the most that one can on a transaction as distinct from the equitable remuneration (current price), he does not preclude the negotiator from deriving advantage from his superior knowledge of the requirements of the market or even in a money market where this (unlike the medieval situation) treats money as not a mere fungible, but an agency in request for the assistance of production. Since 1830 the attitude that such gains on the money market are legitimate has been admitted by the Catholic authorities.

[2] Bede Jarrett: *Social Theory of the Middle Ages*, 1926, p. 180; cf. Kenelm Digby: *Compitum*, ed. 1853, III, p. 233; also Ashley: *Economic History*, ed. 1919, I, p. 149 ff. Cf. the attitude of the Papacy as shown in the encyclical of Leo XIII on the Condition of Labour, 1891: "a small number of very rich men have been able to lay upon the teeming masses of the labouring poor a yoke that is little better than slavery." Cf. also the Lenten Pastoral of the Scottish Hierarchy, 1927: "But one thing we know, that the trouble is not with the children or with the parents—in other words, with Nature—but with the inhuman economic and social conditions in which they are condemned to live."

Over against this whole theory has more recently been set a philosophy which views striving and self-help as virtuous, success as a sign of ability,[1] and which points to the lessons of the world of nature in which animal stocks are improved by constant competition of the more fit against those less fit to profit by the conditions of life. Without adopting Herbert Spencer's thesis that the poor are the failures, the indolent and the vicious (since it is clear that the scrupulous performance of domestic duty is frequently a heavy handicap for the poor in a competitive world, and that it is often the determined, ambitious, and undutiful who "get on"), the fact yet remains that energy, initiative, and determination are among the most valuable and not the least rare qualities of human nature. Any system which removes the stimulus which might call forth these virile qualities must be regarded as suspect; any system of sentimentality in which the weak are encouraged to continue to be weak and to propagate their kind is a treason against the future of civilization. Such a system will increase the numbers of the timid, the unresourceful, the shirkers of responsibility, the dull and drab.[2] The history of sumptuary laws is not a glorious one. There is a positive danger to the possibilities of civilization in the dictation of standards by the majority—that is, by the poor and by those habitually and perforce stinted. Without adventure, "glittering prizes", and wealth for the bold, the world would lose its flame and colour. This colour is probably more closely connected with the adventure itself, with competition and sense of living than with the rewards in wealth. But the view here set forth is by no means entirely false.

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[1] R. H. Tawney: *Religion and the Rise of Capitalism*, 1926, p. 230; *ibid.: Acquisitive Society*, 1924, p. 227. Cf. H. Spencer: *Social Statics*, ed. 1851, p. 323: "The poverty of the incapable, the distresses that come upon the imprudent, the starvation of the idle, and those shoulderings aside of the weak by the strong which leave so many 'in the shadows and in miseries' are the decrees of a large, far-seeing benevolence"; also *ibid.: Man* v. *the State*, p. 69.

[2] It is probable, however, that many of these deficiencies are not so much proofs, as contended, that diversity of wealth is the supreme

From a sheepish, sentimental mass of mankind, who are born, are nourished, marry, bear, nourish others, are kept in old age and die, men of high courage, determination, and creative gifts shoot up like keen, white mountains from dreary valleys. To them is due all that history has to tell about. If anything is primal to civilization, it is the encouragement of these few in their creative energy. Just as pike must be placed in a tank of cod to keep them from degenerating, so competition is to be encouraged to stir men by its very harshness to effort.[1]

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stimulus to initiative (greater, e.g., than opportunity for adventure) as consequences of a physique which, thanks to malnutrition, is incapable of responding with resiliency to stimulation, and to a discouraging social tradition. Those who have been trained to mass production and to deference believe, of course, in mass obedience and a servile morality when in power. It is inconsistent at once to speak of the virtues of competition, and on the other to maintain standards of gentility and of "keeping one's place" dating from a feudal and anti-capitalist age. It is perhaps worthy of remark that a philosophy of competition may lend more countenance to a Chicago gangster, the modern equivalent of the Italian *condottieri*, who is also objectionable to the majority in his own peculiar way, than many of its exponents may realize or relish. But cf. P. von Lilienfeld: *Pathologie sociale*, 1896, p. 98: "une communauté basée sur l'égalité des fortunes serait une société où règneraient l'uniformité, l'ennui, l'envie, l'apathie intellectuelle, serait une société dénuée de tout entrain et de toute initiative". It will, of course, be noted with reference to the argument in the text that it is precisely the feeble-minded and the most economically depressed who (saving a system of sterilization) most largely propagate their kind. Hence a system of ruthless competition of ability remains, under a present system, not only not a eugenic system of "survival of the fittest", but emphatically dysgenic.

[1] Sir E. Benn: *Confessions of a Capitalist*, 1925, p. 19: "I have failed to discover, in a long and diligent search, any material benefit which has

And competition, effort, energy will only be encouraged by giving to the victor the spoils and to the winner the rewards of life. Nor is injustice thereby done, for those who seek a little comfort with little effort will have their little human satisfactions, although not perhaps with more security than their lack of energy merits. And those who work long hours at high speed with heavy responsibility, determined energy and intelligence in direction, or who have exceptional gifts as artists, surgeons, film-actors, humorists, or the like, receive their entirely appropriate reward in a greater control over the means of life than that possessed by the indolent, stupid, or ungifted. . . .

A reconciliation between the two points of view may well appear impossible. For the one, in a world in which life is anyhow a pathetic thing enough, the flaunting of wealth by the fortunate appears a last blasphemy, an insufferable vulgarity, and an unforgivable philistinism—what Immanuel Kant calls an insult to the sufferings of humanity. The religion that "blessed are the poor" censures the rich, for whom it is more difficult to enter into the Kingdom of Heaven than for a camel to go through the needle's eye. The God of the poor is almighty. *Deposuit potentes de sede et exaltavit humiles*. On the other hand, the glory and pomp of this world, the joy of life, the encouragement of art and science, the physical conditions of good nurture and perhaps the attainment of happiness—all require a measure of wealth.[1] To

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ever reached mankind except through the agency of individual enterprise." (If we grant to Sir Ernest the civilizations of Egypt and Peru, where only one person was permitted to exercise individual enterprise, and throw in the public works of Athens, we shall still find it difficult to believe that his researches were well-directed so long as we remember the work, e.g. for agriculture, of the great monasteries.)

[1] Aristotle: *Nich. Ethics*, X, ch. vii; with this must, however, be compared Aristotle's well-known censure of the pursuit of wealth as such (*Politics*, Bk. I), and of traders, financiers, and the very wealthy, as well as of those who "have the tastes of Sardanapalus".

condemn civilization itself, with Rousseau,[1] for the sake of pecuniary equality appears logical but unreasonable. Are we then to say with the great Greeks that the mass of men cannot enter into the good life which only the few can completely enjoy, just as man as a race enjoys the good life to some extent at the expense of the animal creation? Is it not inevitable and obviously right that those of superior ability should enjoy superior advantages? And the discipline of the pursuit of such advantage is the best corrective of a merely animal enjoyment of sensual pleasures. . . .

A confusion of thought is, however, often apparent between the pursuit of wealth and the pursuit of power. The demand for such pecuniary means as to be in a position to provide one's self with the luxuries of life and a demand for power over one's fellows are distinguishable requirements which may be met in different ways. It seems to be the case that there are men of creative energy in the world who would display this energy under any social condition, since it is a direct source of happiness to them; that there are men who can be induced to display energy by the anticipation of more comforts, luxuries, and other pleasures which may be obtained for money; and that there are men comparatively little interested in luxury whose incentive to action is the hope of power.

Although Hegel points out that equality of wealth is the only possible form of equality, there seems to be no adequate reason why all men should be limited to precisely the same amount of private wealth in a world which is still one of experiment and is not a religious community in which all conform to a single pattern. Small inequalities of wealth or even large inequalities due to the excess fortunes of a few, while contributing no little to the production of the more expensive objects of art and to experiments in the refinements of life, which with the advance of general prosperity may be imitated by others, if levelled out among all (although not among a few), would make but a trifling difference to the individual income of the poor. This remark is subject to the *caveat* that these inequalities must not lead to a system under which it is an impertinence for the poorer to imitate the cultural refinements of the wealthier. We have here a justification for hereditary wealth which is not earned by work. Again, while the chief task is to increase the means of each individual, no incentive to additional intelligence in the economic organization of society, and to that energy and interest among even a few, which would improve this organization, can be neglected. This is a justification for private wealth on the ground that it is an incentive to work, and is sometimes coupled with the thesis that men will not work unless they have to earn. The gospel of the righteousness of wealth is, then, supported by two very distinct, if not actually contradictory, philosophies.

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[1] J. J. Rousseau: *Discours sur les Sciences ; Discours sur l'origine et les fondements de l'inégalité parmi les hommes.*

Various observations, however, appear to be necessary. It would seem to be untrue that all men of hereditary wealth or all poor men will remain indolent (whether called "leisured" or "idle") unless stirred by the incentive of private or family gain. Some incentive may in most cases be required, but this may be found in the pressure of public opinion, the desire for reputation and power, the happiness of good fellowship, the opportunity for the play of energy, or the like. It must further be remembered that if this personal energy, making for intelligent organization, can be permanently harnessed to the improvement of industrial life—thanks to the incentive of reputation connected with such improvement—instead of to the accumulation of a private fortune, the end of the public benefit is attained still better. The encouragement of ability, running in individuals or in families, is at least as systematic where there is ample recognition and provision for public servants and for their households, as in pre-War Germany, as it is where the aim is to win a private fortune. And a small community or municipality may, in its public buildings and otherwise, be as generous and discriminating a patron of the arts as any private person of self-made or entailed wealth.

The above reasons, however, seem inadequate justification by themselves alone, in a world in which variety and free experiment is desirable, for the formation of a public opinion intolerant of economic inequality so long as this is not demonstrably obstructive of general amelioration or adverse, by an amoral system of rewards,[1] to the social encouragement of the morally fittest. It may be that slowly the performance by other agencies—municipal, charitable, and industrial—of such services as men of private wealth have hitherto performed, may lead to the private enjoyment of these pleasures of unusual wealth falling into disrepute. The maintenance, however, and general extension of a system of private and independent incomes, such that in a land with an optimum population a man might maintain life with decency,[1] seems to be thoroughly defensible as the best guarantee of individual liberty when there is reason to fear the abuse of power and the dead-weight of public opinion. The extent to which such a system must appear laudable will depend upon our estimate of the general wisdom or stupidity of public opinion, upon our estimate of the value of individualism, and of the tendency of individuals to a selfish and obstinate eccentricity, when they have the power to indulge it, and upon the degree of homogeneity of the community in question. In a religious community the rule is probably sound that there should be no private incomes, nor is it observable in the history of monasticism that the absence of private pecuniary incentive has led "the wealth to disappear like water running away into sand". On the other hand, for those living "in the world", the pursuit of money seems to be a harmless enough form of sport—at least less dangerous than *arrivisme*—so long as it does not involve a diminution of the wealth of the rest of the community and so long as it is not bound up (and this is the main point) with a system of unequal distribution of political and social power. But "private incomes for all" seems to be a legitimate object of social endeavour, which must take precedence of the claim for luxury incomes for some, however innocuous this latter may be.

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[1] H. Cecil: *Conservatism*, p. 122: "earning must not be understood to connote any element of desert . . . exertions are not paid in proportion to their desert". A distinction must be drawn between the guarantee to individuality, however unpleasant or eccentric, of private means—which would, at the pre-War standard of production and living in England, work out at £162 per family of four to five (Bowley: *Division of the Products of Industry*, 1919, p. 49)—and a system which permits the accumulation of great wealth and power in no ascertainable proportion to social service and with no guarantee, apart from super-tax and death duties, that this service will be rendered. *Saepe etiam taeterrimorum hominum immensa possessio.* A system which rewards merit on the principle of supply and demand (although not without its virtues), thanks to which on the average a minister of religion in England receives between £250 and £300 per annum, whereas a fairly successful London prostitute can make three or more times as much (a not inordinate sum when the price of a good automobile or cases where pocket money is allocated for clothes at £100 *per mensem* are taken into account), is perhaps not beyond criticism on the score of social utility. It must, however, be remembered that many of those who protest against such a scheme of luxury expenditure as that here cited, would have been members of the servile classes in the civilizations which have occupied the longer period of historical times. Much of the appropriate morality and culture of these earlier civilizations still survives, and it is only recently and in a few countries that it, rather than social democracy, has come to be the morality and manner of living which is viewed with suspicion or at the best merely tolerated. Great inequalities of wealth have not seemed open to criticism in systems which assumed great differences of rank between princes and human creatures little more dignified than draught animals.

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[1] In a world where there is no longer, in most countries, free land, it is no longer possible to spend time lamenting, with Turgot, that while there was still unoccupied land no one would think of entering the service of another. But private wealth is not the less genuinely emancipating because it does not take the peasant form of three acres of landed property or that of Harrington's yeoman republic. Cf. H. von Treitschke (*Politik*, 1913, I, p. 381): "A human being literally without property abandons his individuality . . . no genuine human existence is thinkable if divorced from every form of property." The insistence of Aristotle upon a measure of wealth as a condition of excellence and independence of mind has never yet been effectively rebutted since the abandonment by the modern world of the Christian ascetic ideal of virtue. The championship, however, of liberty by the rich (the poor being timid, afraid for their bread and butter, gregarious and conventional by their own standards) is likely to be largely a championship of liberties to continue as they have continued (comfortably enough) against innovations and such new irksome restrictions for the benefit of lesser folk as a new civilization may require. The rich have least to gain (being strong) and most to lose by novel regimentation.

What is essential, in heterogeneous communities, is not the equalization of wealth, but the enlargement of opportunity, individual and for civilization as a whole, by organization, invention, and production. This enlargement may, however, itself lead to a clash between those who have not and those who have, if the wealthy constitute an interest group which endeavours to maintain exclusive or predominant possession of those opportunities for further wealth and of that power which wealth can procure. Established wealth must not preclude individual competition, any more than it usually does in America, or else class competition and non-cooperation (as frequently in Europe) will be brought in to redress the balance. The collision is not primarily between individual poverty and the individual *ownership* of wealth, but between ambitious poverty and the *control* by the wealthy of the means of acquiring wealth. It is true that the large mass of mankind are uninterested in the acquisition of power or of wealth, when coupled with the amount of labour and responsibility required under present conditions for its acquisition, beyond the point necessary for their security and for their immediate livelihood. The holders of power only affect them adversely when they infringe their civil liberties or restrict too closely those means of livelihood. They want a little money to provide a few pleasures and to avoid the more wretched discomforts of life. The collision comes between the holders of wealth and power and those ambitious for wealth and power or those roused to fierce indignation by a sense of the hardships of the poor and powerless. We have here the possessors of wealth set over against the claims of the poor, because the possessors of wealth are also the possessors of power.

The requirements of the poor and of the powerful are, however, not irreconcilable if the love of power could be gratified in other terms than those of control over the avenues of wealth. The poor without great ambitions want money; the ambitious want not so much money as power—they take money because they are able to do so and because money is one form of power, but ambition is something other than the love of luxury. A system whereby posts of public responsibility carry with them the highest honour and little wealth seems to be calculated to satisfy, not only the naturally energetic, who desire a social system in which superior ability is not equalized out of existence, and not only those who are concerned with the affront to poverty of a luxurious commercialism, but also the lovers of power and of managerial responsibility. The alternative remedy would be the rapid change of wealth from hand to hand. This, however, is to assume that those who have been taught to regard wealth rather than power alone as the reward of effort will not desire to pass on wealth to their children. A condition under which millionaires live very simply and great fortunes are readily given away can, however, only continue (whatever may be the momentary situation in expanding America) where in fact, as suggested in the other alternative, public reputation has high value attached to it and mere ancestral wealth and luxury, divorced from a behaviour conspicuously moved by a sense of public responsibility, is held in low esteem, if not regarded as under suspicion.

We seem, then, to reach a position not dissimilar from that of Plato and of the Catholic Church. It appears to be possible to strike a balance between the "haves", who desire the perpetuation of the system from which they benefit, and the economic "have-nots" by increasing opportunities for acquisition of money, of leisure, and even of luxury for the latter, and by giving to the former the toils and compensations of power with honour divorced from preponderant wealth. The curtailment of wealth would be justified to exactly the extent required for effectively depriving wealth of an unequal measure of power and for making the holders of power substantial gainers by the exchange of wealth for political power. On the one hand, a system of honours for those by whose services the community benefited—statesmen, civil servants, physicians, business managers, scientists, artists—would be required. On the other hand, wealth, such as holders of shares, successful speculators, writers of "best-sellers" (upon whatever topics), and variety artists accumulate, would not be begrudged, even in a world in which majority sentiment must remain the sentiment of the poor; but it would be confronted with a system of education, of appointments, of allocations for the necessities of training in avocations, and of public honour for success in them, as well as by a system of administrative control, in which wealth, by itself alone, would have no place or claim. Many an aristocratic system, although the poverty of the nobility was but relative, has, in its warfare against commercial wealth, approximated to such a system, and peculiarly was this the case in pre-War Germany.

The objection to the German caste system was that it had, perhaps, too narrow a conception of ability. And this objection indicates the danger of regarding any one system of status and honour, whether that of Plato or any other, as final. It might well be that in many a community the society of first-class music-hall artists might be considered far more interesting and worth seeking after than that of distinguished surgeons or clergymen. No prearranged system could, contrary to public sentiment, prevent more honour from being shown to them or their views from having more weight in social conduct. But even in such a society our formula of balance would still apply that wealth and power should be divided, as has largely been the case in the past in the clerical and learned professions. Thus membership of the Royal Society, and, in many countries, the public service, confers honour without relation to wealth. It must be confessed that such an aristocratic system of status, not by birth, but by profession and ability, is with difficulty likely to be able to pit itself, save in a few communities, against commercialism, with its identification of power with the means to power which wealth from any quarter—the exploitation of art, of literature, of social life, of natural resources, or financial speculation—gives in quantitative terms. It would require to be aided by legislation deliberately designed for its support. It must also be confessed that such a system of reputable honours is frequently deadening unless they are so arranged as to provoke emulation.

The balance swings between repressive legislation against wealth, because of its exclusive monopoly of power; and the declaration that the energy which accumulates wealth merits a privileged control of power, even although the cost paid be the danger of a sabotage of social cooperation by the excluded. On the one hand, Machiavelli [1] asserts that a well-ordered commonwealth should aim at maintaining the prosperity of society without individuals becoming opulent, and philosophers from Aristotle to Harrington would so allocate and restrict private property as to place power in the hands of a middle class. On the other hand, Mussolini permits the accumulation of private fortunes while rigidly insisting on the subordination of private property as a servitor to the dominating interests of the State, and American capitalists endeavour to engender in their own ranks a recognition of the obligation of wealth to the public service as a condition of its immunity from closer legal restraints.[1] Usually, however, wealth tends to use its superior opportunities to strengthen a social system which recognizes the principles of capitalism as constitutional and sacred, and, by its very defensive organization, begins to constitute itself a definite interest group. Poverty, on the contrary, strains to the breaking-point the bonds of civil cooperation in an endeavour to secure satisfaction for those needs which only money can gratify and the hope of wealth assuage. It may be that equilibrium will be found by abandoning the struggle about "the rights of private ownership" (Capitalism) and "the rights of employees" (Labour), and by concentration upon the problem of the production of a high level of general wealth (social prosperity) and the securing to each of independence of means (private property subject to communal control).

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[1] Machiavelli: *Discorsi*, ed. 1820, III, p. 331. Since writing the above, my attention has been called to the two following citations. "The rehabilitation of the individual, therefore, must be attained by a direct pursuit of equality. . . . And the chief means to this end must be the diffusion of property . . . and a sharper differentiation of the economic and political aspects of society" (Henry Clay: *The Problem of Industrial Relations*, 1929). "With the strictly limited inheritance of personal posses-

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sions there is clearly no case at all for any attempt to interfere. On the contrary, the right course is to make this sort of inheritance universal" (G. B. H. Cole: *The Next Ten Years in British Social and Economic Policy*, 1929).

[1] *The Cleveland Foundation*: "The Foundation makes the accumulation of wealth respectable by insuring the usefulness of wealth. It makes it honourable for a man to build up a fortune in the community, because it provides the means for the return of that fortune as a whole, or in part, for the permanent service of the community. It eliminates the stigma of selfishness that too often goes with the accumulation of money by providing the means of bestowing some or all of it for the ultimate good of the community."

There seems, however, little prospect of any equilibrium being reached until the individual claims of high ability and initiative can be recognized in some system which has a remedy to offer for the economic miseries of a portion of the large body of average men, simple, humble, gregarious, sympathetic, and unambitious.

Ability and Equality. The task of directive control is a task for the few. In a like-minded society alternation in rule becomes possible, and where all are inspired by a common ideal cooperative control replaces control by domination. But even here, in any specific task, including that of scientific government, there must be those who know more and should direct and those who know less. In a heterogeneous community, such as any large community must be, the control of some over others must be more frankly by domination on behalf of the dominant part through their agents. Who these few will be, who will as agents exercise control, will depend upon which few can in fact best sway the majority, busy and preoccupied with their narrower and more immediate securities, ascendancies over their next-door neighbours, and sensuous satisfactions. In a community which loves sensation, it will be those of dramatic personality; in a community which honours wealth, it will be those acceptable to the wealthy; in a community which respects and distinguishes judgment, it will be the most judicious. The power comes from the support-givers themselves, and with them lies the responsibility for having these rulers, although the supporters may not directly exercise control or be in any sense capable of exercising control over the precise policy followed.

In general the power-loving or power-having minority rule through their agents the support-giving majority—who will to have it so, being too indolent or too preoccupied to assume the toil of responsibility[1]. They wish to procure the goods of government from others, as long as those others act fairly—not to do everything themselves. The struggles of politics are, and from the requirements made upon human energy must remain, struggles of one group of a few to muster the support of the mass against another group of a few. The struggles of politics are neither initiated nor directed by the ordinary voter, and this is in the nature of the case. Where the directing few have been able so preponderantly to establish their position in the social structure that their power does not change from year to year, but is conventionalized, with themselves as a group occupying a definite stage in the hierarchy of power, a status has been constituted. Where the personnel of the few and their authority change, owing to the activity of the majority and the fluctuations of power resulting from their support or withdrawal of support, out of this rotation of power, sense of eligibility and absence of a permanent monopoly, there arises a convention of social equality which is perpetuated so long as the majority remains intelligent in its own interest and prepared to assume the tiresome burden of active vigilance. Democracy declines as this burden is felt to be too onerous owing to the increasing complexity of public affairs and the increasing demands of the other concerns of a speeded-up life, although a rapidly changing civilization is, of itself, far from inimical to democracy.

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[1] *Vide supra*, p. 271.

When the common man is not prepared to pay the price of sound conventions and of guaranteed liberties[1], he has no just ground for complaint if he does not get them. And when he is unprepared to go to the trouble of organizing against those who would unnecessarily restrict his liberty and of throwing that organized support on to the side of the opposition, he must not expect those who will benefit by an expansion of power, with its opportunities—be they reactionaries or revolutionaries or some intermediate group—from availing themselves of their chance, organizing themselves in accordance with their own interests and ideals into a well-entrenched group, and protecting their status by an established convention which it will come to seem an attack upon the social structure to question[1]. There is no reason, however, for supposing this degree of energy in the common man to be native to him. The history of government is the history of protest against bad, even if honest and well-intentioned rule, under the influence of the emotion of fear rather than of agitation for good rule under the influence of intelligence. The cause of a check on the growth of the privileges of status, more than is warranted by the performance by any group of a social function, is to be found in keener bargaining by the many for liberty. This again has its cause either in an intolerable extension of the power of the governing group, such as to provoke discomfort by old standards, or a change in environment, which raises demand by rendering the old standards no longer sufferable. In both of these cases action can only be expected where there is the spur of pain.

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[1] Plato: *Republic*, I (Steph. 347): "And the greatest penalty is to be ruled by an inferior if you will not rule yourself."

Nature develops our demands and our self-consciousness of our abilities in proportion to our inability at the moment to realize and exercise them. The man who finds the sun still warm is not the stuff of which reformers are made. And as many a Liberal politician has discovered, to alleviate this pressure of pain by compromise measures, before an adequate change has taken place, may prevent the new forces from being strong enough to overcome at all the initial inertia of established convention. The convention may even become stronger for being robbed of indefensible excrescences. It may be taken as a political maxim that moderation is only advisable for a strong party. A weak party's best assets are its own discomforts and the discomforts it causes its opponents. To bargain too high, however, for new liberties in an adverse market can, of course, only mean going without security altogether and being placed under restraint as criminal. To the above causes of change should be added the effect of education in changing political tastes and thereby altering demand, either raising it, where the education tends to raise to self-consciousness the reasonable interests of the individual, or lowering it, where the education is inspired by respect for authority as such, as distinct from what authority specifically confers upon those affected by control.

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[1] J. Mill: *Essay on Liberty of the Press*: "The small number, in whose hands the powers of government are, in part directly, in part indirectly, placed cannot fail, like other men, to have a greater regard for what is advantageous to themselves, than what is advantageous to other men." W. Godwin: *Political Justice*, 1793, p. 97: "The real enemies of liberty in any country are not the people, but those higher orders who find their imaginary profit in a contrary system." Godwin forgets that "the higher orders" are, as all other political beings, very much anxious to maintain liberty as they understand it, whereas "the people" is equally interested, when in power, in invoking an often rough-shod authority. "The proletarian State, like every State, is an organ of suppression. . . . The dictatorship of the proletariat, which gives it a favoured position in the community, is only a provisional institution" (*Manifesto of 1st Congress of Communist International*, 1919).

Critique of the Doctrine of the General Will. Any given society, then, is composed, not of an aggregate of individuals, but of an assemblage of groups. Although there has been, among many political theorists and statesmen, a singular reluctance to admit the legitimate function played in social life by parties,[1] the abolition of all groups could only happen if the spirit of friendship, which draws together men similar and of like outlook and interests, and the spirit of hatred of that which we consider evil and injurious, were eradicated. Groups are a natural expression of the diversities and likenesses existing in the human mind and are individual character writ large. Clashes between groups can only be overcome and their interests and divergent outlooks harmonized in terms of a broader and dominant loyalty.[1] Where this greater loyalty is not equally and generally shared, peace in a society is only maintained by the domination of one group, with its interests, outlook, ideals, and the conventions convenient to it, over the others.[2]

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[1] Cf. Halifax ("ignorance maketh a man enter into a party and shame preventeth him from leaving it"), Goldsmith's animadversions upon Burke, and the remarks of Washington (that parties and party strife are destructive of the fundamental principles of free government), of John Marshall ("nothing more debases or pollutes the human mind than party"), and of Jefferson (who declared that he would "rather go to hell than go to heaven by party").

There is perhaps no society so perfect in its provision for the normal satisfactions of all and for the preventive cure or segregation of the abnormal that it has no fringe of dissidents and malcontents, no group upon the verge of secession or of criminal violence, who only obey thanks to more or less overt domination. It is not, however, true to say that "rule is based upon force" in politics any more than to assert, without reservation, that "all rule is based upon consent". Rule which had no consent behind it would have no support and no power. But it is not necessary that the common will of the directing group, in order to be effective and predominant, should be the general will of all the members.[1] This common will is one which may be passively accepted by other groups who have themselves no definite wishes or made-up mind on the subject. It may prevail against dissident groups who are yet prepared to obey rather than disrupt the social bond. They obey in fact, but it must not be supposed, by any jugglery with terms, that they do not oppose. They will the maintenance of order in general, but only of the specific order so long as the dominant group cannot be overthrown without disproportionate cost. The estimate of "disproportionate cost" will vary from group to group until we reach those groups which cannot be said to will to maintain the actual order at all and with whom the relation of the Government is one of pure force.

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[1] Plato: *Republic*, IV, 421: "It was not with an eye to this that we established the city, to have any one tribe in it remarkably happy beyond the rest, but that the whole city might be in the happiest condition . . . not picking out some few persons to make them alone happy, but establishing the universal happiness of the whole." The position here stated ideally by Plato is stated realistically by Madison (*Federalist*, X: "the regulation of these various and interfering interests forms the principal task of modern legislation").

[2] Cf. A. V. Dicey: *Law and Public Opinion in England*, ed. 1905, p. 116: "Any constitution which gives representation, in however strange a manner, to the classes which are powerful in the State, achieves one main end of representative government." *Vide* also Roscoe Pound's quotation from Brooks Adams, *supra*, p. 311, and the comments by J. S. Mill on the theory that "a change in the political constitution cannot be durable unless preceded or accompanied by an altered distribution of power" (which Mill points out is psychological) "in society itself" (*Representative Government*, ed. 1861, p. 12).

There is no "general will" of political societies. There are common wills or courses of behaviour, shifting from time to time, of various groups whether interlocking or mutually inclusive. The relation of these groups is either that of fusion in active furtherance of a common interest or acquiescent cooperation, or dislike and domination,[2] or overt resistance. The same relationship exists, within the groups themselves, between lesser groups, down to the individual unit. The broader the diameter of active cooperation and the smaller the dissident fringe which is dominated in a force relationship, the firmer based is the power of those in direction and the more, thanks to the stability of the social balance, an unwavering course of conduct, based upon the unchanging behaviour in the relation of each individual to each, will be pursued and, hence, the appearance maintained of a common will. As Rousseau rightly saw, such cooperation is peculiarly likely to exist in a voluntary and homogeneous community of the type which he described as an *état libre.* A power relying, on the other hand, on constraint is authoritative, as Spinoza pointed out, only so far and so long as the force extends and the power is operative.[1] Its relationship behind its common action is, not sympathy, but fear.

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[1] L. Duguit: *Traité de Droit constitutionnel*, I, p. 506: "Il reste vrai de dire que le fait *État* est simplement un fait de différenciation entre les forts et les faibles, les plus forts étant seulement les plus nombreux." To call this domination by the majority democracy does not mitigate the fact that it is based upon force: the crucial question is of the extent to which rule is based on fundamental assent in primary matters. "Mihi populus non est . . . nisi qui consensu juris continetur; sed est tam tyrannus iste conventus quam si esset unus", said one who had experienced both (Cicero: *De Republica*, III, xxxiii). When, however, Pufendorf says (*De Jure Naturae et Gentium*, VII, 2, section 8) that, although the *forma regiminis* requires only a majority, the *pactum unionis* must be unanimous, he is wrong except for the like-minded group or Rousseauistic *état libre*. The voluntary support need only be adequate, not unanimous, and the resulting rule provides an advantage owing to the fact that an unsupported minority is unable to confer the political goods of order.

[2] Halifax: *Political Thoughts*, ed. 1912, p. 220: "There are as many apt to be angry at being well- as being ill-governed. For most men to be well-governed must be scurvily used."

Group Representation. It may be admitted that society is not a collection of individuals bound together into one unique organization, such as the State, but is an aggregate of individuals organized into various groups, sometimes contrary, sometimes mutually inclusive, sometimes overlapping. It is an aggregate of individuals behaving differently in accordance with what may be the particular situation in which they find themselves and the particular group organization with which they collaborate to cope with the situation. These groups are "real" in the sense that they are built up by expenditure of human energy in their organization and are no mere chance assemblies or incidental associations, but as much persist to execute a common will as States or Churches, which are but particular and more highly organized forms of group life. Neither the groups nor the States or Churches are *personae reales* in the sense of being anything else than new phases of human existence due to an organization, of a particular quality, of human individuals.[1] They are "persons" in the etymological, and often in the legal, but in no way in the anthropomorphic sense of the term. It does not, however, follow that the common interests of groups may not be of sufficient practical importance to their members for any well-constructed larger group to need to give explicit recognition to the smaller ones.

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[1] B. de Spinoza: *Tractatus Politicus*, ch. iv, § i.

The technique of group representation in legislative bodies and the administrative problems of political pluralism it is not here within our province to discuss. It may, however, be observed that to talk about "giving representation to groups" is premature until we have considered who is to give representation. There is not *one* community *and* groups. Every particular society is a group (interlocking or overlapping others) in society at large—that is to say, that which we choose to regard as the total of interrelated civilization, whether it be human society or Western society.[2] There is, then, no one group which can satisfactorily give representation to other groups; each group has certain distinguishing characteristics or functions, and its institutions are to be understood in terms of these functions. An institution such as Parliament may well be reorganized until it is best advised about, and most efficiently able to take into account, the legitimate interests of groups. But its members must remain functionaries of an institution which is an institution for giving effect to the will of the State group and not of any other group. It must reconcile the interests of international Protestantism and of international Catholicism, of the Workers' International and of international finance, of the Seattle Chamber of Commerce or of the Staffordshire miners, in terms of itself and of the State group which is Great Britain or Oregon. That Parliaments are not adequately informed for their task is a technical difficulty. It is a different matter to turn Parliament into a congeries of group-representatives except just in so far as it may enable Parliament better to perform its task as a State institution.

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[1] It is interesting to note that the doctrine of the real personality of groups set up by Gierke, following Beseler, in opposition to the thesis that the State (or Church) alone was a real person and that all other corporations were, in accordance with the doctrine worked out by Pope Innocent IV and by Lucas de Penna, *personae fictae*, has now generally been abandoned by the Pluralists. It has been supplanted by a more individualistic position (to which countenance is lent by behaviourist psychology, cf. *supra*, p. 88), which denies the metaphysical personality of any social group whatsoever.

[2] I omit to mention the use of the word Society as corresponding to the "upper classes" or *beau monde*. This, at its best, is a friendship group characterized by certain standards of good breeding and wit. At its worst it is Society because the rest of the world to it is composed of mere ὄργανα ἔμψυχα. In this case it is a hedonistic privilege group characterized by standards of conspicuous consumption not necessarily associated with either good breeding or wit, although the remark of Mr. St. John Ervine (*Observer*, August 12, 1928) that "if the arts were dependent upon the support given to them by the upper and the working classes, there would not be any arts, for our lords and our ladies are as illiterate as our labourers and as eager in their quest for trash as any slut, without the slut's excuse that she knows no better", seems to be as uncalled for as it is dogmatic. The transitional stage from the first condition to the second is admirably remarked by Mr. Michael Arlen when he speaks of "that classical insolence which is inadequately called affectation". It is possible, of course, for any

Society is, then, divided into groups. But every institution is an institution of a group and not an institution representing many groups and subsuming their life into itself. An institution may indeed be established by that group whose interest is civil peace, i.e. the civil organization and civil authority, to impose order on, or to arbitrate between, groups; but if so it is to be judged in terms of its efficiency in performing its function of arbitration and of executing the will of the "order-group". Whether it does or does not represent the other groups

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group, from excessive concentration of interest upon its peculiar privileges, to become criminally minded as touching society at large. This does not, of course, prove that criminals are lacking in that like-mindedness in a distinctive manner of life which renders a group, however undesirable, of high human interest; they are, on the contrary, very distinctive and striking members of the community, conspicuous for personal pride and vanity and frequently, especially in Chicago, with a nice taste in dress.

as groups is irrelevant save in so far as representation of the probable litigants in the tribunal may or may not increase the ease with which that tribunal performs its task.[1] What is important is that it shall perform its task so impartially and equally, within the terms of the accepted and conventional order, that social cooperation shall be won.

All human society, and any segment of it, is a constellation of constellations, down to the group of individual atoms. This human society is not yet so organized that all groups fall systematically into an established place in relation to the whole. Equilibrium is reached by a balance of power, that group which receives such support as is adequate to enable it to arbitrate between the others in certain circumstances, or of which the decision and command will be taken as final by the effectively dominant part of the society, being, in these circumstances, the prerogative group. The liberty of man lies in his power of selection of the social group which he will support as order-keeping authority, or of the group to which he will go for political goods which he may happen to esteem higher even than peace and order.[1] It lies in his power to choose his political market.

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[1] Reference should be made to the brilliant writings of Mr. G. H. D. Cole. Mr. Cole's later theory (*Guild Socialism Restated*, 1920, p. 124) has been thought out in terms of groups, but primarily of groups in local, regional, and national communes, and of their rights of representation therein. This is the theory to which exception is taken in the text. The technical expedience of having, e.g., a second chamber reflecting the group structure of that State group for the more efficient transaction of legislative business, for which even Hegel may be cited in defence, is another matter (cf. J. A. R. Marriott: *Machinery of Government*, 1927, I, p. 502; H. J. Laski: *Grammar of Politics*, pp. 138 and 335–40; McBain and Rogers: *New Constitutions of Europe*, ch. vi). It is, of course, no more likely to work a miracle than any other mechanical change, such as that system of representation, "the solution of all the difficulties, both speculative and practical", to which James Mill pinned his faith as being the sole receipt for good government, or the proportional scheme championed by John Stuart Mill, although it scarcely deserves to be dismissed, as by Hamilton (*Federalist*, XXXV), as "altogether visionary". In Mr. Cole's earlier theory (*Self-Government in Industry*, 1917) he argues in favour of a commoners' parliament, a producers' parliament, and an arbitral tribunal which shall *not* be composed of representatives of groups. Although the reality of consumers' and producers' groups may be doubted, to this theory there is no objection in the text. With the theory of a division between a political and a social parliament, as set forth by S. and B. Webb (*Constitution*, 1920), the writer is in entire agreement. The former, national or international, should undertake matters of peace, war, diplomacy, finance, convention governing certain matters of communication, trade, and health; the second, national or local, should undertake police, welfare, educational, moral, liquor, and similar regulative and preventive measures, This theory could be developed as one of concurrent international organization and municipal devolution, and in this form would not end in a dyarchy of rival authorities.

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[1] H. J. Laski: *Grammar of Politics*, p. 281: "The keeping of order, important as it is, may subordinate to itself all that is worth while in the purposes of society; and a State which is informed mainly or wholly by that desire will use its power to dwarf the moral stature of its citizens." Cf. also G. D. H. Cole: *Introduction to Social Theory*.

CHAPTER VIII

INDIVIDUAL AND SOCIETY

Organizations and Institutions. An *institution* has already been defined as that specific organization of men or of men and things which is designed to give effect to a convention or conventional system. The institution springs out of the convention, although it may elaborate the convention. It is not primarily the institution but the balance of wills in the group which determines the convention. A *group*, however highly or however little organized, or an *association*, which is a group organized for a limited and defined purpose, is organized in terms of a certain "common will" or convention; to this convention it is the institution which gives sanction and executive force and which actively maintains the balance which passively exists among the members of the group. A State, a Church, a family constitutes a group; the stockholders in a joint stock company constitute an association. The laws of the State, the canons of the Church, the customs of fidelity and monogamy are conventions. The Government which maintains these laws, the monarchy, the hierarchy, the local office of the registrar for marriage, and the divorce courts are institutions. Cabinet Ministers, kings, bishops, judges are the personnel of those institutions. "Government" is the name for the *function* of an institution; "religion" is the name for a certain binding sentiment or for the activities of a group; "marriage" is the name for a ceremony regularizing and giving conventional sanction to association for the procreative and companionate functions of a family with, or without, children, or it is the name for the bond of the family group considered with respect to the parent couple[1].

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[1] *Vide supra*, p. 88. It would be unwise to base our use of the word "institution" on the phrase "institution of marriage", since this usage is

In economics one speaks of the consumer group, but not of the consumer institution; it is the factory which is an institution, coming into being as the agent of production in response to demand.

Since political institutions are the instruments by which effect is given to the conventions and to the balance of wills which they formulate, an adequate discussion of institutions is only appropriate after a thorough study has been made of conventions, of the extent to which they are apt for securing social harmony and removing maladjustment and disorder, and of what are the means most likely to be suitable for giving effect to them in laws and other finished political goods. It is impossible satisfactorily to criticize or design the machine before we have considered what it will be its function to produce, or to compound the medicine before we have diagnosed the disease. A study of institutions must then follow, not precede, a study of conventions, and a study of conventions must presuppose a study of the broad and permanent principles of political physiology.

In order, however, to complete this outline of political principles, some few remarks, adumbrating a more complete treatment, are required on the production side of the political system; for the study of institutions is largely a study of the agencies for the production, from the raw material of general understandings as human wills strike a balance, of specific laws and rules which will be enforced. The agencies of demand—such institutions as party machines (even these being in part producing agencies)—are less in evidence. If the individual who asks for power to fulfil his wish and enjoy its fruition is in the position of consumer or purchaser requesting, for a price,

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due to theological theory by which marriage is a social instrument for carrying out the divine will that men should live not promiscuously, but in couples, and populate the earth. Hence marriage is an institution in the same sense as the other sacraments are institutions, "instituted by God Himself" and to which God provides a final sanction.

securities and guaranteed facilities, authority is in the position of the producer or manufacturer, who alone can give the more elaborate and detailed securities. Authorities are of various kinds, and depend for the strength of the guarantees which they can give upon the labour in their service of diverse groups of organized individuals. In the most prominent case these organized workers in the public service are called citizens, their group organization is named a State, and the institutional authority is a civil government.

Authority, as has been pointed out, may be exercised by *force majeure*, and is not the less authority. Nevertheless, for those persons who are under the domination of others in this fashion, the authority, when thus felt as a constraint, is merely a power. They do not concur with, or form, the conventions which it enforces, and they give it no recognition but that of fear, and have no influence upon it but that of a reciprocated fear. Rights may be conferred upon subjects, in such a military régime, from habit, or for convenience of government, or as a solace to secure acquiescence, although these subjects neither actively concur in the maintenance of the authority of their masters, whose power rests upon the wills of members of other groups, nor have a share in establishing the conventions which are maintained in the area of government. As in a store in a company-owned township, these people largely have to take what is given them. The division between the ruling and the non-ruling groups may, as in the cases of Hindu law, or the customs of medieval freeman and serf, or of the slave states of nineteenth-century America, lead to the establishment of two or more jural communities, or, as in Norman England in the relations of Saxon and Francigenae, it may not.[1] In either case, however, only such political goods are to be had as the dominant groups choose to put upon the market, and there is no option left to the subject about paying the cost for these in military, fiscal, and other services.

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[1] Except in the case of Presentation of Englishry.

The ruling body, thanks to superior force, is in the position of a political monopolist, which is able to accord such little liberty as it chooses, subject to fear of successful rebellion, and to demand in return obedience to so much exercise of authority as it desires to assert. It is able even to tamper with the security it confers and to give less to its subjects than it gives to those who are members of its own body, while exacting fewer restrictions, in taxation and the like, from its members than from the subject people. Nor is there any reason why such a monopoly should not last so long as the age is one of disturbance, when the price of security is high, and the ruling organization is alone effectively able to confer such little security as may be obtained. The history of the barbarian rule in the early Middle Ages exemplifies this case. Another is that of a dictatorial monopoly. Here the nature of the rule again is based on the price men are ready to pay for security; the risks and responsibilities are heavy, and the prizes of management must be proportionately large.

Fear of military aggression is only one factor in raising the price of security and the anxiety of men to accept any variety of it. The conditions of modern civilization also raise the value of security, order, and like facilities, by making more complicated and delicate the conditions under which a stable harmony of wills can be achieved in the social process. And, to this extent, modern conditions, as much as medieval conditions, provide a rich ground for the growth of monopolistic governments, although military prowess, in the one case, and technical efficiency, in the other, will be the characteristics of what it has to offer. The Middle Ages, however, while giving little freedom to bargain about rights, offered a plenitude of different authorities, royal, baronial, and ecclesiastical, each a monopolist in its own field.

The modern era is a period when authority is generous in according rights (it "sells cheap"), but is jealous of a plurality of organizations. In either instance, although for different reasons, there is little freedom for the individual to choose his political goods; he is provided with them, and, if he wishes any of these goods, he must take those which are offered and pay their customary price.

The Organization of Civil Government. The large political literature, from the days of Plato and Polybius to our own time, which deals with monarchy, benevolent despotism, aristocracy, Venetian oligarchy, democracy, mixed constitutions, and representative democracy or Parliamentarianism, is chiefly concerned with the problem of reconciling efficient government with responsibility. The temptation of every Government which is endowed with large powers, in the shape of an unchallenged convention in demanding duties, is that its individual members, or the official class, or those of the dominant group behind the Government, begin to further their particular advantage according to the law of the maximalization of power.

It does not follow that this magnifying of their office or of their group interest is malicious, or from pecuniarily corrupt motives, or for the selfish material advantage of a group or class. The especial danger under systems of democratic government is rather towards pecuniary corruption than to personal privileges of status. But usually the profits of government are of a more definitely political, although not of an obviously abusive, nature, consisting in the establishment of conventions in accordance with the notions of the dominant group of what is for the good of the whole. This "good of the whole" may well be construed in accordance with a particular group's own scheme of the good of the whole, which scheme may be something quite other than the scheme of other groups in the society. In short, the will, even although the ideal will, of the dominant group prevails over the wills of the others. The rights of the others, which are the guarantees of their own actual wills, are either diminished or are (more frequently) not increased to the extent to which the new facilities possible in a new stage of civilization permit of their increase. The balance to the credit in power goes to further the will (for good, according to their own plan) of the dominant group.

This profit is possible to the extent to which members of the other groups will perform duties (i.e. obey conventions) uncritically, without insisting on a fair exchange between duties and rights, or insisting that the conventions for the maintenance of which duties are performed shall be such as are most advantageous to all and yield the maximum of rights. There are three main reasons for this. First, groups unrepresented in the Government are not in a position to ascertain what more advantageous conventions or laws are possible, while the statesmen and officials of the dominant party have no obligation to concentrate their minds upon exploring for some plan of social adjustment which is quite other than the one which seems to them themselves good and equitable by their own standards. Secondly, the members of many groups are so little highly educated adults that their notions of their own interests are either limited to the most obvious conclusions or are mistaken, and are capable of being moulded by any well-chosen propaganda. The elaborate process of deducing their indirect interests from their immediate direct interests, and of perceiving how a particular measure of government affects the former, and hence, in process of time, the latter is a task which, from lack of leisure, information, and ability, they must leave to others. Thirdly, a certain measure of the profits of government, in the shape of power acquired by moulding policy in a responsible fashion, in accordance with his own ideas and not as a mere automatic instrument, is a fair reward for that expenditure of labour which the statesman undertakes.[1]

The first two points, of the three mentioned above, demand more careful consideration. The third point is not unconnected with the first. (*a*) An electorate alive to its own interests can obtain control over the formation of policy through representatives, responsible to itself and empowered to obtain all relevant information. The only danger here is that the managerial efficiency of government may be interfered with, and that the profits of government may be cut so low that no man of honour and ability will undertake the responsibility. It will be left to those who seek extraneous and corrupt advantages. Plato, it will be remembered, insisted that the only reason which would induce a good man to assume the responsibilities of government would be fear of being ruled by his inferiors. But bad government may go very far before the disadvantages become painful to most individuals. Even the good man is scarcely likely to assume the burden of government from a sense of public duty when he is to be allowed no opportunity for carrying out his own notions of reform when he is titularly "in power". The Stoics, like some people to-day, tended to find politics an intolerable servitude to opinion and favour. When too much stress, as under the old Polish régime with its *liberum veto* or under an over-elaborated system of popular elections, is laid upon obstructive rights and not enough on constructive duties, the production of the facilities of a good social order becomes unprofitable for those in public life and impossible to maintain. A system of checks and balances against executive authority is often so narrowly economical as to end in the cessation of government. Similarly, there is a danger in a pantopragmatic system of democracy where, instead of attention being directed to securing guarantees against bad government, the competent are given no encouragement against the ignorant in the actual direction of government.

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[1] *Vide supra*, p. 184.

(*b*) More serious, in the Western World of the twentieth century, is the case of the electorate not unduly jealous about its rights but inadequately alive to them. If a Government can lower the standard of demand, while maintaining its volume, its task becomes easier. The more men expect the Government to do for them the more exacting is the task and the more frequent the complaints. The Government may respond to serious complaints by frightening the people, through threat of foreign war, into clamouring for some well-known social good, such as security against the enemy, which it is confident it can supply, and which will lead temporarily to a rapid appreciation of the importance of security and to a cheerful performance of duty. *Si vis pacem, para bellum* has two meanings, as has been perceived since the days of the Lancastrian dynasty in England. This remedy is, however, a desperate one, only suitable for a politically bankrupt authority.

It is, however, possible for a Government to render itself highly popular by supplying new facilities without perturbing itself concerning the accompanying restrictions, thanks to a very low standard of demands in rights. This is especially liable to take place in an industrial democracy, where masses of men have been given the vote who have never enjoyed that freedom from material cares which enabled the feudal nobleman, the eighteenth-century lawyer, the nineteenth-century business man, secure in independent means, to set up a high standard of what was to be demanded in political rights. It is the great weakness of Liberalism in the twentieth century that these rights have little meaning for the weekly wage earner compared with those economic securities which he prizes. If a dictator can give him these securities, no pain is felt in sacrificing to his Government what are for him almost worthless rights. The change is perhaps inevitable, and is due to a shift in the balance of power among the units which are members of contemporary society. But, with an increase of duties and a decrease of rights, bargaining power is lost. What is apparently needed to correct these dangers, as mankind advances to a more elaborate stage of civilization and social integration, is to increase both rights and duties by a stimulative environment and education.

Rights can only be maintained (except in unusual cases, where it is the custom, as in pioneer America, only to render charily individual obedience to government), by the united power of those interested in maintaining them. Those who are not energetically interested in their rights, whether that they should be accorded by authority or should be maintained by authority against criminals and transgressors, will, by the law of the maximalization of power, lose them. Others will inevitably press on, and, meeting no resistance, will increase their power at the expense of the indolent or short-sighted. The citizen who imagines that mere convention, without risk or fight, will protect him from the adventurous exploiter of opportunities, within or without the law, is one who forgets that the indolent and self-seeking are liable to have measured out to them as they measure out. Rights, in short, are maintained by organization, in a party or other association, and hence by incurring new duties if the rights are thought worth the labour.

Liberty, as has already been said, is found not in isolation but in placing one social organization against another. The point has been made clear by various adherents of the theory of political pluralism, and especially by Mr. G. D. H. Cole, when he says [1] that a man owes not one absolute social loyalty and other subordinate loyalties which must always in case of need be overridden by it, but a number of relative and limited loyalties, of varying importance and intensity, but not essentially differing in kind. The process, however, of checking organization by organization is clearly, in theory, an infinite one. And the efficiency of governmental production and order is not directly improved by negative organization, e.g. of consumers and labourers in defence of their rights, valuable though these organizations may be. Such organizations are justifiable in so far as they limit the inordinate power in the direction of policy of dominant groups, whether class groups or majority groups. But such organizations, in so far as they are rival organizations, e.g. to the State Government, are redundant and sources of useless friction just so far as the Government is in fact providing what the people wants and that for which they are cheerfully willing to pay. The most we can do is to justify, as permanently valuable, a constitutional party system which yields (owing to a sense of public responsibility) the minimum of factious opposition with the maximum of that constructive criticism such as checks, not only bad legislation, but also legislation which, while unobjectionable in its object, is yet an unnecessary restriction. An opposition party or parties enables the Government, apart from elections, to gauge the state of the political market. Indeed, two of the uses of a party in opposition are to provide the electorate with an alternative Government with alternative political goods and to enable the Government to gauge the state of demand in the country.

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[1] G. D. H. Cole: *Introduction to Social Theory*, 1920, p. 189.

Other Right-Producing Organizations. Political organizations, however, other than parties, may perform a valuable constructive function quite apart from the negative function of protecting rights, as, e.g., labourers' or consumers' associations. They may themselves be producing associations, whether of political goods, e.g. of social order or amelioration, less costly than the national governmental productions, or of goods which the civil government, unlike a voluntary organization, is not fitted to produce. As touching the first case, certain kinds of legislation and undertakings are administered more efficiently and with less burden on the public by a municipal authority, others by a national authority. Which can best supply which must be tested out experimentally. But it seems inherently probable that the regulation of finance and (in certain cases) of epidemics, general technical conventions, war and peace and other more mechanical matters of government are best dealt with on an international scale, whereas certain social, economic, and educational regulations are best administered by a local authority, upon whom authority is devolved and which controls an area approximately that of the old Greek City-State. As touching the second case, provision for cultural welfare or for labour regulation is frequently better made through some social organization, ecclesiastical or industrial, other than the State with its coercive power. Here these organizations do not protect civil rights, save by their mutual balance, but provide social facilities, each according to its especial function.

The individual has no actual freedom apart from society, for he lives, not as Crusoe, but in society. To some extent, however, it is possible for him to fulfil his wishes without calling in the aid of other members of society. Just as water, which is one of the most valuable of commodities, may usually be had without price, so some of the most important of enjoyments in fulfilment of our wills we can carry out by our own unaided power. As civilization increases in complexity the number of these purely individual activities decreases, just as water itself is now supplied at a charge through the rates. For most, however, of those operations for which we require power we always need a social security, whether given by our parents or family, our neighbours, members of our profession or business associates, our village or city, our union, church, state, nation, or empire. The freedom of the individual consists in his independence to choose through which social organization he will procure the liberty, guaranteed by securities and facilities, to fulfil his wishes. He has the choice of what organization he will ask to provide him with these or those particular guarantees and political goods.[1] In order to rear to maturity children he may turn for assistance to the State, or may enter that social arrangement which is the permanent family. In order to educate his children or to secure facilities for living his life in accordance with a certain social plan, he may turn to the State organization or to the Church organization. Economic protection may be found through the State or the Union. Business activities, as for example in shipping, or telephones, may be conducted through State ownership or through private ownership. Police protection may be best guaranteed by the Nation-State or by the municipality. The production of the best kind of securities or facilities is likely to be aided by experiment between various kinds of organization for its provision and by variety in social order. Little is likely to be gained by an organization providing that type of political goods which is not closely related to that which it is its especial function to supply, as, for example, when the Papacy, despite the nature of the ecclesiastical organization, endeavoured to exercise temporal power, or when States, from Sparta to Germany, have endeavoured to force upon unwilling peoples political goods of a cultural nature according to these States' own peculiar and characteristic model.

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[1] H. J. Laski: *Grammar of Politics*, p. 101: "That is why the formidable centralization of the modern State is so great an enemy to an ideal system of rights. For only when power is distributed widely is there any effective restraint upon those who wield it." Cf. also p. 141.

Actually, however, in our present political system the freedom of choice of the individual is almost as limited as was the freedom of economic choice of the villager in the Middle Ages and, throughout much of Europe, until the eighteenth century. There is little political free trade, and we still live politically largely in the epoch of the provincial *douane*. A man is, first, a member of a State—that is, a subject—and, secondly, a member of society—that is, a man. Over given areas particular States are, at the present time, the sole providers of certain social goods. Social and statistical surveys can throw some light upon the type of social goods which various States are providing, and the extent to which these are, e.g., military, police, educational, sanitary, economic, or whatever it may be.[1] But the areas of these States are such that, despite a conditional freedom of emigration, the individual has little practical freedom of choice.[2] If the individual requires these goods of political security and the like, he must expect to procure them from these sources. And, even if he does not require particular State benefits, he will still have to labour under obligations for their maintenance, as a law-abiding citizen and a tax-payer who (often) has performed military service, if he expects to enjoy any of those other rights and facilities which the Nation-States will allow only to their own law-abiding and law-maintaining members or residents.

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[1] *Vide* the useful survey of the fruits of the performance of various functions by the State to be found in the book by A. M. Carr-Saunders and D. C. Jones, entitled *Social Structure of England and Wales* (1927). Similar surveys are required for other countries, upon the basis of which, at least in some matters, a comparative estimate of national performance in, e.g. defence, education, health, the standard of living, distribution of wealth, and the eradication of various classes of crimes, might be founded.

[2] J. J. Rousseau: *Du Contrat Social*, IV, ii: "Quand l'état est institué, le consentement est dans la résidence. . . . Ceci doit toujours s'entendre d'un état libre; car d'ailleurs la famille, les biens, le défaut d'asile, la nécessité, la violence, peuvent retenir un habitant dans le pays malgré lui; et alors son séjour seul ne suppose plus son consentement au contrat ou à la violation du contrat." It will be remarked that Rousseau's entire argument for the claims of the State (cf., e.g., *ibid.*, IV, viii) rests on the validity of this footnote. Rousseau's assumption that he who does not like the conventions obtaining in the area in which he is born is, civilly and economically, free to move, is obviously practically fantastic (although perhaps less so in Switzerland than elsewhere) and not even legally sound of present-day States, which are not *états libres* in Rousseau's sense. States claim the right, which is exercised in time of crisis, to forbid the emigration of citizens and the children of citizens from their shores. The principle laid down in the Statute of Proclamations of Henry VIII is in no sense obsolete. On the right of sections of States to secede, cf. Vattel: *Droit des Gens*, I, iii, section 37. It need scarcely be pointed out that the attitude of the Northern States of the Union to the Southern has hitherto been more common than that of Sweden to Norway.

As touching Nation-State goods, there is, in the present age (in contrast to the chaos of feudal authorities), no choice of market save by emigration (as by the Pilgrim Fathers, the Huguenots, and the Germans after 1848), although the security and facilities may be greatly changed in type by a change in the personnel of the governmental administration. In some parts of the world, however, many of these same goods are provided by municipalities which are more easily moved into and from, while in certain cases (as the British Commonwealth) the Nation-State does not strictly exist, and the Empire-State is chiefly limited to providing the goods of military (but not of police) security. As to other species of political goods, such as security against threats to livelihood or facilities for the cultivation of the religious or artistic life, there is, in fact, a wide range of available choice in most Western countries, although not in those in which the State (as in Rumania) tends to extend its monopoly into the control of the religious field, (as in Russia) the economic field, (as in Bulgaria and Spain) the educational field, or (as in Italy) the philosophic, artistic, sumptuary, sartorial, and recreational fields. It must, however, be repeated that a community monopoly or national trust is not to be condemned as such, but is to be judged pragmatically, with merely a full consciousness of the general dangers of trusts.

The State and Other Groups. A State is an organization of persons to maintain the effective production of a given type of political goods, almost invariably including military and (indirectly) police securities.[1] The direction of the organization rests with the State Government which is responsible (as executive and judiciary) for the enforcement of rights and (as executive and legislative) is usually considered as being the active body, representative of the whole, determining, and in receipt of, obligations, entitled to claim their performance and to punish their non-performance. It is necessary to distinguish a Political Society[2] from a State, which is a specific political society characterized by the performance within it of specific functions,[3] and this again from a Government, which is an organ or institution designed to perform within this society these, or some of these, functions. A State is defined by Holland as "a numerous assemblage of human beings, generally occupying a certain territory, amongst whom the will of the majority, or of an ascertainable class of persons, is by the strength of such a majority, or class, made to prevail against any of their number who oppose it."[4] This definition, as touching the structure of the State, is unexceptionable, but it is weak in not giving any explicit indication of what useful function such a will-organization performs. Clearly the State is not the only organization of persons in which the will of the majority or *valentior pars* prevails over the other part. Nor, where State, province, and municipality overlap, is it the only such territorial organization.

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[1] States of the American Union do not exercise military (as distinct from police) functions, which are left to the nation-federation. The situation in the British Commonwealth is ambiguous, the military function nominally being exercised by the nation or dominion, but actually to a large extent by Great Britain on behalf of the Empire-State. Police functions are frequently in part, and in the Swiss cantons entirely, exercised by what, for the purposes of international law, is merely the locality, not by the State.

[2] For the distinction between Society, Community, State, and Government, *vide infra*, p. 406.

[3] MacIver: *The Modern State*, p. 5; G. D. H. Cole: *Social Theory*, p. 4, p. 132; Woodrow Wilson: *The State*, 1918, p. 65: "The State exists for the sake of Society, not Society for the sake of the State."

[4] T. E. Holland: *Jurisprudence*, 13th ed., 1924, p. 46. Cf. Bluntschli (*Lehre vom Modernen Staat*, i, p. 24): "Der Staat ist die politisch organisierte Volksperson eines bestimmten Landes" (a definition in a circle). Also J. Bentham: *Fragment on Government*, ch. i, § 10: "When a number of persons (whom we may style subjects) are supposed to be in the habit of paying obedience to a person, or an assembly of persons, of a known and certain description (whom we may call governor or governors), such persons altogether (subjects and governors) are said to be a state of Political Society." Cf. J. Austin: *Jurisprudence*, ch. vi. Such a definition, excellent for a "political society", quite fails to supply a *principium individuationis*

Attempts have frequently been made to distinguish the State from other political societies by attributing to it alone the quality of sovereignty.[1] This is an absolute power over its own members and an absolute independence of any power exercised by another State or authority. There is no appeal in law against the State, save by grace of the State, and it is the highest juristic personality known to law.[2] It is only subject to international law by its own free will, as a convenience and so long as its own interests dictate; international law exists for the benefit of States, and the interests of States are not subject to the dictates of international law.[3]

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whereby to distinguish the State, and we should not know that it is to the State that Bentham is in fact referring, were it not for his incidental use of the words "subjects and governors". The identification of the State with the body of the citizenry is common to most older writers, such as Grotius, Pufendorf, and Vattel, but modern writers, such as Bluntschli above, have a tendency to make the State replace the Prince, so that those who were *in fidem regis* became in allegiance to the State, which is something other than their collectivity and, in Esmein's phrase, primarily a juridical personification, instead of that of which "the person is borne" by the sovereign.

[1] Hauriou (*Précis de Droit administratif*, ed. 1900, p. 6) defines a State as "une société qui a engendré en elle-même une chose publique et qui s'y conforme par la souveraineté" (quoted by Duguit). The stress upon organization and authority will be noted here, and also the vagueness, amounting to tautology, of the word "public". Cf. the more satisfactory definition of H. Spencer (*Principles of Sociology*, ii, p. 247): "Political organization is to be understood as that part of social organization which consciously carries on directive and restraining functions for public ends."

[2] C. F. von Gerber: *Grundzüge eines Systems des deutschen Staatsrechts*, ed. 1880, *ad init.*

[3] G. Jellinek: *Allgemeine Staatslehre*, 1900, p. 340. Cf. Vattel's contention, already stated by Machiavelli, that a treaty which, in the State's own judgment (there being no superior impartial tribunal), proves disastrous

Sovereignty, so defined, as a natural right of the State which it alone enjoys, would appear to be obnoxious to the objection in ethics, to which all crude egoism is open, that it is self-contradictory, that it claims for itself as of right what it will not accord to others as of obligation. Thus it is not inconsistent with the sovereign claims of one State that, in the service of its own interests, it infringe the sovereignty of another.[1] And this maxim appears to hold no less for the modern democratic sovereign State than for the earlier princely State of Louis XIV and of the days when Gustavus Adolphus could declare that he recognized no power above him but his sword and the will of God as interpreted by his own conscience. This difficulty may be overcome if the State's interests be themselves regarded as by definition the *summum bonum*, and if, in accordance with the placid philosophy of Bosanquet, it be accepted that the State "has no determinate function in a larger community", but "is the guardian of a whole moral world, but not a factor within an organized moral world".[2]

The sovereignty of the State as absolute in and against domestic and international law[3] is, for this reason, usually associated with the doctrine that the State is characterized, as distinct from other social organizations, by moral finality. This doctrine used to be associated with the

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to it, it is entitled to treat as null (*Droit des Gens*, ed. 1916, II, p. 161), for a State has the twofold duty of conserving and perfecting itself (*ibid.*, I, p. 14).

[1] Oppenheim: *International Law*, 2nd ed., I, p. 186: "It is impossible to lay down a hard-and-fast rule regarding the question when a State can or cannot have recourse to self-help which violates another State."

[2] B. Bosanquet: *Philosophical Theory of the State*, ed. 1920, p. 302. Cf. the dictum that "Britain is the giver to all its citizens of the stuff of their moral life".

[3] J. Bodin: *De Republica*, i, Section 8: "Maiestas est summa in cives ac subditos legibusque soluta potestas." Bodin, however, is not an exponent of the full theory of sovereignty, since he does not release his sovereign from absolute obligation to natural law, the precursor of what has, since Bentham named it, been called international law.

thesis that the individual owed passive obedience to the godly prince ruling by divine right or with the thesis that it was the duty of the individual to subordinate his private conscience to the public conscience and to the counsel of his sovereign who is God's lieutenant.[1] Since the rise of nationalism during the course of the last century this theory has been replaced by the socially more acceptable one of the moral ultimacy (as the vehicle of all the values of culture and civilization) of the nation and by the thesis that the State is the juridical personification of the nation.[2] The State should be regarded as a person, and not only in law, but with the moral significance of personality. But its personality is more than merely individual; it is social. In it, as the *patria* organized, the individual finds, as Fichte says, the realization of his earthly immortality. Writing in the period of transition from the princely to the national democratic notion of the sovereign State, Hegel gives classical expression to this doctrine of the particular State as (for the individual although not for history) the embodiment of the universe of final values. "Were the State to be considered as exchangeable with the civic society, and were its decisive features to be regarded as the security and protection of property and personal freedom, the interest of the individual as such would be the ultimate purpose of the social union. . . . But the State has a totally different relation to the individual. It is the objective spirit, and he has his truth, real existence, and ethical status only in being a member of it."[3]

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[1] T. Hobbes: *Leviathan,* xxix.

[2] Esmein: *Eléments de Droit constitutionnel,* 1921, I, *ad init.*: "L'État est la personnification juridique d'une nation: c'est le sujet et le support de l'autorité publique." Cf. Hauriou, *supra,* p. 391 n. 1.

[3] G. W. F. Hegel: *Philosophie des Rechts,* trans. Dyde, section 258, note and add. Cf. H. J. W. Hetherington and J. H. Muirhead: *Social Purpose,* 1918, p. 25: "The State is the concrete embodiment of the general scheme of values in accordance with which any community arranges its social life"; also Sorley: *Bedford College Lectures,* p. 255: "In emotion and in idea,

The actual State, as an historical phenomenon, may not be without incidental imperfections.[1] The State is not "an academy of fine arts"; for it "high thinking" is not necessary; the first requisite and *sine qua non* for it is that it should "stand visibly girt about with armed might".[2] *Der Staat ist Macht.* The State (like the Church) is something in history, "imperfect" only in the sense that all that is historical is imperfect, marred in the hard conflict of events. But this is no reason for the individual to venture self-righteously to set himself up as judge of this State by some code of abstract and unreal morality and thus display his "total lack of reverence for the objectively revealed will of God as unfolded in the life of the State". Moreover, the State has a peculiar function which makes its official conscience other than the consciences of the individuals who compose it and who are morally responsible for their private behaviour; the State is, in some respects—because a society and also (unlike a church or business corporation) because *the* society—morally a case apart.[3] The State is not itself

man is made by society, in society, and for society, and the social order in which he finds himself and which has fashioned his being has its most comprehensive and best-organized expression in the State, to which he belongs and which has helped to make him what he is."

[1] S. Brie: *Theorie der Staatenverbindungen*, 1886, p. 7: "Concrete States are ever a more or less incomplete picture of the idea of the State"—in that they do not themselves possess and exercise all the powers that logically belong to them. Yet cf. E. Barker: "The Discredited State", *Political Quarterly*, II, 15, p. 118: "After all, the Idea of the State is the idea *par excellence*—all-embracing, all-subsuming, all-adjusting. Other ideas are partial; other ideas need criticism and adjustment."

[2] H. von Treitschke, *Politik*, 1913, I, pp. 34 ff.; "The truth remains that the essence of the State consists in its incompatibility with any power over it" (*ibid.*, p. 28); "It is deceptive to imagine that war can ever be abolished. It cannot and never will be abolished so long as the State is sovereign, standing over against other sovereign States" (*ibid.*, p. 77).

[3] H. von Treitschke: *op. cit.*, I, p. 100: "The State's very personality is power, its highest moral duty is to uphold that power." . . . "As nothing in the world's history is the State's superior, the Christian obligation of sacrifice for a higher object is not imposed." . . . "Sacrifice for an alien nation is not only unmoral, but contradictory to the idea of self-maintenance, which is the highest content of the State . . . many duties

civilization, but the protection of the values of civilization rests with it, and in the name of this high mission it is not permissible for it to yield to others, to sacrifice its interests, or to renounce its moral trust.[1] It cannot morally permit itself to be fused, in whole or part, with another State (as in the recent case of Montenegro), to be divided (as in the case of the Scandinavian peninsula), nor can it permit its task to be taken over by any other organization of civilization and of social life (such as the League of Nations).

The consensus of opinion seems to be that, when these moral claims are made for States, they are not being made for municipalities, theocracies, world leagues, or other political forms, but for the modern sovereign National State, which is the product of the international system crystallized by the treaty of Westphalia and which has been given moral life by the democratic and nationalist movements of the last century.[2] If this be so, then it must be

which are incumbent on the individual have no claim upon the State." Cf. G. Rümelin: *The Relation of Politics to the Moral Law* (trans. Tombs, 1901), p. 34: "Moreover, how can the golden rule be applied in the relation of one State to another?" Also, "No State in the world can renounce the 'I' in its sovereignty". And cf. General von Bernhardi: *Germany and the Next War* (authorized trans. Powles, 1914), p. 29: "The love which a man showed to another country as such would imply a want of love for his own countrymen. Such a system of politics must inevitably lead men astray. Christian morality is personal and social, and in its nature cannot be political." Cf. also the remark of Bismarck (C. G. Robertson: *Bismarck*, 1918, p. 66): "The one sound basis of a great Power which differentiates it essentially from the petty State is political egoism and not romanticism; and it is unworthy of a great State to fight for what is not connected with its interests."

[1] Hetherington and Muirhead: *op. cit.*, p. 91: "The ideal interests of which on our showing (the State) is the appointed guardian and interpreter, can only be maintained by its continued existence. To renounce its life as a State is to renounce its trust"; E. Barker: *op. cit.*: "Through our mouths the State, which is nothing but ourselves organized in an ordered life, will then say to itself, 'It is necessary to live'. And there is no Napoleon to say to the State, 'I do not see the necessity'."

[2] Thus Professor W. Y. Elliott speaks of "those who disagree with Mr. Laski as to the fact of a super-State, and who find a more real and a more final constitutional morality in the nation State" (*The Pragmatic Revolt in Politics*, 1928). Professor Elliott seems to follow in the line of the school of Krause and Ahrens.

observed that these claims are made for an institution, described by a fifteenth-century Italian word (*stato*), which cannot be said to have existed during the Middle Ages, whether we do or do not agree that its birthday or coming of age should be dated from 1648.[1] Nor can this institution be identified with the world State of Rome or with the municipal State of Greece for which Aristotle made claims as emphatic as those which are now made for the nation State.[2] If, however, the moral claim is not made for the nation State, which may be regarded as the product of an epoch, and of which the very principle was scouted a century ago by such conservatives as Metternich and Pio Nono, but for "the State", then some common term must be discovered recognizable in municipal State, world State, nation State, princely or administrative State, and theocratic State alike.

The moral claims to uniqueness of States are frequently based upon the assertion that the State alone is universal.

[1] I owe this remark to Professor MacIver; cf. H. W. C. Davis: *Medieval Europe*, p. 93; F. W. Maitland: Introduction to trans. of Gierke's *Political Theories of the Middle Age*, 1900, p. xiii; H. J. Laski: *Authority in the Modern State*, 1919, p. 21: "In the form in which it becomes immediately recognizable to ourselves, the modern State is, clearly enough, the offspring of the Reformation."

[2] Aristotle: *Politics, ad init.*: "The Polis, which is the highest of all communities, and which embraces all the rest, aims, and in a greater degree than any other, at the highest good" (*ἡ πασῶν κυριωτάτη καὶ πάσας περιέχουσα τὰς ἄλλας*). Babylon, however, "includes within its circumference the territory of a tribe rather than of a Polis" (*ibid.*, III, iv). It will be remembered that the ethical maxim *salus populi suprema lex*, as used by Machiavelli, meant that the safety of the people of Florence was the supreme law of morals. It is highly important to note the double fallacy of most recent political theory. (*a*) It has appropriated to the Nation-State the moral advantages argued by Plato and Aristotle to lie in the Polis, despite the clear words of those philosophers defining the size of this Polis as a face-to-face group. (St. Thomas Aquinas properly translates in *De Regimine Principum*, I, ii, *πόλις* as *civitas*, and Thomas's French translators render this *ville*.) (*b*) It has appropriated to the Nation-State the social philosophy which Rousseau argued was appropriate for his small republic, despite Rousseau's emphatic statement (*Contrat Social*, IV, ii, n.) that this is only an *état libre* if any citizen is free, legally and actually, to move elsewhere at will—a condition only actually appropriate for a municipality and legally inapplicable to the modern State's subjects.

This clearly does not apply in time or space to the nation State. Unless nation State merely means "State composed of citizens", the United States is not a nation State and neither the British Commonwealth nor Great Britain are nation States. The State, however, in some form, whether as municipal State, nation State, or empire State, is so far universal that, at least outside the polar circles, the cartographers have allocated every square mile of land and every human being thereon, whether Negrito and Samoyede be or be not aware of that fact, to some sovereign State. We must not, however, permit the illusion of the atlas, with its red and green patches, to blind us to the fact that, if every mile is in some State or other, government is of human beings, not of acres which indeed may be traded for money,[1] and that almost all human beings are members of organizations, such as family and Church, other than the States.[2] Nor is it permissible to urge, as does Ahrens, following Althusius, and followed by Hauriou, that the State is "a combination of all institutions that make for the perfecting of the human race", for some of these institutions, such as certain Churches, are larger than States, cross State boundaries, and include States within their boundaries. States, like these other organizations, are many; "the State" as a fact does not exist. The explanation of the universality of States seems to lie not in a theory in accordance with which they are all-embracing institutions or in their incidental territorial nature, but in their coercive power. Everyone must come into being as a member of a family, but he must, under duress in the last resort, remain a resident under some State authority. This applies even if (as with many Germans in Czechoslovakia) he has lost national citizenship or if (as with many naturalized Americans who visit France) he discovers he is subject to two national authorities. Territoriality is merely a consequence of exercising power over all persons within a given organization usually occupying a fixed area. This acknowledged power to exercise, and solely to exercise or to direct the exercise of, physical coercion is sovereignty.[1]

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[1] Thucydides: *History*, VII, section 77: *ἄνδρες γὰρ πόλις, καὶ οὐ τείχη οὐδὲ νῆες ἀνδρῶν κεναί*. Cf. Fenwick: *International Law*, 1924, p. 316, on the Alaskan cession of 1867, when Alaska was almost devoid of population. More recently, however, political authority over subjects has been sold for money down by, e.g., the Prince of Waldeck, *vide* Lowell: *Governments and Parties in Continental Europe*, 1896, I, p. 249.

[2] This point is excellently stated by MacIver (*Modern State*, p. 483 n.) in a criticism of Norman Wilde's *Ethical Basis of the State*.

That States have a coercive function, that they alone have this power on a physical plane and that they will prevent other institutions from exercising it except by delegation, appears to be generally admitted. Other institutions, such as Trade Unions and Churches, may be able to exercise economic or moral pressure and to threaten penalties more grave than the physical ones of the State. But it alone can physically compel obstinate dissidents. Hence it alone has an outward rule over each and every person in a given neighbourhood and, in its area, is universal without omissions. And this is true, even although in extension a State may be less universal than a Church.[2] If it is to perform efficiently its arbitral, security-maintaining, and coercive function, the State must not include selectively this or that individual so as to make up a homogeneous whole, but must compulsorily comprehend all who live in contiguity. "Submission is what the State primarily requires."[1] Its basis is not psychological homogeneity but spatial contiguity. And whereas a State does not cease to be such if homogeneity is lacking among its members, an organization ceases to be a State when it loses power to compel obedience. "The State", as Treitschke says, "is . . . Power in order to protect and further the highest welfare of the human race. . . . The right of arms distinguishes the State from all other forms of corporate life. . . . War and the administration of justice are the chief tasks of even the most barbarous States."[2] Although States may be concerned for the good life of their citizens, and even concerned, "to lead them in such a way that they shall be able to attain eternal beatitude",[3] States came into being for the sake of life and, unless they maintain the elements of peace and order, they do not fulfil their task. A State may do much more than coerce, but that organization which has not power of coercion, not normally derived from another "power" or civil organization, is not a State. It is possible, for example, for a municipality to have police power, and yet, not having it in external affairs, not to be a State, but it is not possible to be a State and not to have this power. "Powerlessness, impotence of the State force, is the capital sin of the State, from which there is no absolution; a sin which society neither forgives nor tolerates, it is an inner contradiction: State force without force".[1]

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[1] T. Hobbes: *Leviathan*, ch. xvii: "For by this authority, given him by every particular man in the commonwealth, he hath the use of so much power and strength conferred on him that by terror thereof he is enabled to form the wills of them all, to peace at home and mutual aid against their enemies abroad. . . . And he that carrieth this person is called sovereign." J. Bodin: *De Republica*, i. 1: "Respublica est familiarum rerumque inter ipsas communium, summa potestate ac ratione moderata multitudo." B. Bosanquet: *op. cit.*, p. 140: "The State, as the operative criticism of all institutions, is necessarily force; and in the last resort it is the only recognized and justified force." Cf. also Duguit: *Traité de Droit constitutionnel*, I, p. 395. But cf. also M. Weber: *Wirtschaft u. Gesellschaft*, 1922, p. 604: "Herrschaft in dem ganz allgemeinen Sinne von Macht, also von: Möglichkeit, den eigenen Willen dem Verhalten anderen aufzuzwingen, kann unter den allverschiedensten Formen auftreten."

[2] In this limited sense we may agree with the present Master of Balliol when he writes: "we may therefore define the State as the organization of organizations. . . . It is comprehensive, therefore, in its scope as other organizations are selective" ("The State in Recent Political Theory," *Political Quarterly*, I, 1914, p. 140).

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[1] H. von Treitschke: *op. cit.*, pp. 32–3: "Er fragt grundsätzlich nicht nach der Gesinnung, er verlangt Gehorsam . . . er will, dass ihm gehorcht werde. . . . Der Staat sagt: mir ist es ganz einerlei, was ihr dabei denkt, aber gerhorchen sollt ihr."

[2] The significance of the use of the word "Power" is pointed out by Rousseau (*Contrat Social*, I, 6). Cf. W. W. Willoughby: *The Nature of the State*, 1896, p. 4: "According to Lasson, 'The State is a community of men which possesses an organized authority as the highest source of all force'." Also H. J. Laski: *Authority in the Modern State*, 1919, p. 19; L. Duguit: *Traité de Droit*, I, p. 395.

[3] St. Thomas Aquinas: *Tractatus de Regimine Principum*, I, section 15.

An essential attribute of the State and *sine qua non* is the power to coerce on the physical plane. And this power it rightly enjoys in order that it may perform one of its admitted functions, namely to maintain the peace, domestic and foreign, and to give security. It will be noted that its universality does not depend upon its moral claim, but its moral claim upon its unique universality (but only within its own frontiers), which again rests upon its power to use force in the function of maintaining order and acting as "guard of civilization". Whatever other functions it may have, this is its primary function, and without the efficient performance of this function civilization cannot continue, any more than a musician can continue without bread and butter. This function alone is not, of course, although fundamental, a unique or highest moral function, any more than nutrition, because indispensable, is a unique or highest moral function of the individual. If, however, the fundamental function, which at least the State performs, is to maintain peace and security for civilization, the argument of Dante[2] for a State as broad as civilization seems to be irrefutable, since the peace of civilization cannot be held to be effectively maintained by any system of States within civilization which can be thought of as warring among themselves. Such action would be a contradiction of the very function of the State and a mark of inefficiency. Apart from admitting that the Nation-State does not, in the modern conditions of civilization, taken alone and as sovereign and ultimate, efficiently perform the function of a State, only two courses appear to be possible. The one is to assert that civilization is no broader than nationality,[1] and the other is to assert

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[1] R. von Ihering: *Der Zweck im Recht* (English trans., p. 232). Cf. also "Der Staat ist die Form der geregelten und gesicherten Ausübung der socialen Zwangsgewalt" (*ibid.*, German ed. 1877, p. 307; English trans., p. 234). The same position is, of course, that earlier taken by Hobbes and Spinoza.

[2] Dante Alighieri: *De Monarchia*: "Et per consequens visum est propinquissimum medium per quod itur in illud, ad quod velut in ultimum finem omnia nostra opera ordinantur, quod est pax universalis, quæ pro principio rationum subsequentium supponatur (section iv) . . . quando aliqua plura ordinantur ad unum, oportet unum eorum regulare seu regere, alia vero regulari seu regi" (section v); also section x. The argument is a mediaeval commonplace and will also be found, e.g., in Engelbert of Admont (S. Riezler: *Die literarischen Widersacher der Päpste*, 1874, p. 165). Cf. Spinoza's assertion (*Tract. Pol.*, III, §§ 12, 16) that many States in federation possess more *right* than one—the function of the State being to maintain peace and security. The late Dr. Burgess, who would naturally

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be quoted as an exponent of the unmitigated theory of the fusion of national autonomy with political sovereignty, nevertheless in one passage seems to incline to the same ideal in a future of unspecified proximity: "The idea of the State is the State perfect and complete. The concept of the State is the State developing and approaching perfection. . . . From the standpoint of the concept, it is a particular portion of mankind viewed as an organized unit. From the standpoint of the idea the territorial basis of the State is the world, and the principle of unity is humanity" (*Political Science and Comparative Constitutional Law*, I, p. 49).

[1] B. Bosanquet: *Philosophical Theory of the State*, ed. 1920, p. 320: "The nation State is the widest organization which has the common experience necessary to found a common life." This dogmatic and pessimistic conclusion (which Dr. Bosanquet, although himself a citizen of the British federation, makes presumably about the United Kingdom of Great Britain and Ireland, not about, e.g., the Scottish nation only) is apparently only laid down about the present (*vide* "Introduction to the Second Edition," 1910, or p. xxix of 1920 ed.), and does not commit its author to the doctrine that the Nation-State is permanently the final and broadest form of political organization, and hence, for this school, the moral ultimate. This latter view, despite his dictum that "a bad State is only mundane and temporary" . . . "the World Spirit overrides all particular claims" (*Phil. d. Geschichte*, introd.; *Philosophie des Rechts*, § 270, and cf. §§ 340, 344), is usually ascribed to Hegel, and, even if not by Hegel, is frequently enough maintained by less profound thinkers, especially in the Germany of the past, but by no means exclusively there. Cf. the noble dedication of Professor Hobhouse's *Metaphysical Theory of the State*, 1918: "With that (Hegel's) work began the most penetrating and subtle of all the intellectual influences which have sapped the rational humanitarianism of the eighteenth and nineteenth centuries, and in the Hegelian theory of the god-state, all that I had witnessed lay implicit." Against Hobbes's elevation of "that mortal God, Leviathan", a caution is to be found in Dryden's declaration, "States are atheists in their very frame", if not in Augustine's "Primus fuit terrenæ civitatis conditor fratricida" (*De Civ. Dei*, xv, 5); "talis civitas mysticum vocabulum Babylonis acceperit.

that the guardianship of the peace for civilization is not the task, or not the chief task, of the State, in which latter case no moral argument for States can be built upon this supposition.

The case seems to be that, although other functions of States may be performed by other organizations, no other organization is so well designed as that which we call generically "the State" to perform the function of maintaining peace and security. Hence the State must be detached from any other function-performing organization which impedes it from performing its own function as efficiently as possible over as broad an area as possible. When it was able to perform this function over the realm or national area, it became detached from the city State and barony. Barons ceased, with the coming of the New Monarchies, to be *souverains dans ses baronnies*, and such a political unit as the Serene Republic of Venice became in due course an anomaly and was swallowed up in alien Empires and, finally, in the Italian national State. As it becomes possible to perform this function over a larger area still—the world, or part of it, or great racial units of territory—national sentiment must find satisfaction in organizations for maintaining cultural autonomy, just as local sentiment finds expression in the local administrative area. National autonomy and political sovereignty, it is important to recall, are distinguishable. Political sovereignty must pass on into larger units of area,

Babylon interpretatur quippe confusio" (*ibid.*, XVIII, 41). The violently opposite position to this is to be found in the declaration of the Abbé Raynal that "the State is not made for religion but religion for the State; when it has pronounced itself, the Church has nothing further to say". It is interesting to note, in the first anthem in the *Form of Service in Thanksgiving*, June 16, 1929, the phrase occurs: "I vow to thee, my country . . . the love that asks no question." Taken precisely this is, of course, both bad theology and bad ethics—that is, impious and immoral. No such exact meaning, however, should perhaps be attached to the words of the poet. These cautions are certainly not uttered with a view to detracting from the great Hegelian truth that man attains personality, not in negative individualism, but as a social being in community life.

whether it be a League of Nations, which must[1] be converted from a "Free Assembly of Sovereign States" into a "Sovereign Assembly of Free States", or such supra-State or supra-national federations as the United States, the British Commonwealth, or the U.S.S.R.[2] And such moral allegiance as the organization which maintains security and peace in civilization may justly demand, appertains not to the local or national units—Brittany, Virginia, Wales, Ireland—but to these greater bodies of civilized society. Nevertheless there are other high moral values, besides those of peace resting on the ultimate sanction of force,[3] and sentimental units, whether family, village, or nation, possess such values.

Every institution, says Aristotle, tends to do that best which it is specialized to do.[4] One, however, of the most significant political changes since Aristotle's day has been the branching off, from the Polis or municipal community, of other institutions especially competent to organize the religious, industrial, scientific, artistic, athletic, and convivial aspects of life. T. H. Green, therefore, seems to have been entirely justified in limiting the appropriate field of State action to those things which can be as well accomplished if done under compulsion as if done freely.[1] And States can be considered satisfactory instruments of political life to the extent to which they do their work well and do not attempt to perform functions which can, in the interest of the "facilitation of the objects of society",[2] be performed by other organizations more efficiently.

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[1] By "must" is here meant, not a moral exhortation, but that this is the only rational method, if this alternative is followed, of enabling the State efficiently to perform its function, in which efficient performance it is hypothetically affirmed that human beings are and continue interested.

[2] It is significant that the title "United States of America" contains no national or territorial allusion, save to a geographical area including two continents; similarly, the Union of Socialist Soviet Republics contains no national or territorial allusion. There is, likewise, no accepted title for a member of the British Commonwealth; "Briton" is rhetorical and almost obsolete, "Britisher" is slang, "British subject" a cumbrous legal circumlocution of an antique flavour. Contrast with this such well-defined national States (compounded of ancient Roman areas of local government) as Italy, France, and Spain.

[3] *Vide supra*, p. 375 n. 1.

[4] Aristotle: *Politics*, I, 2: "One thing for one purpose, for each instrument is best perfected if it serve for not many tasks but for one." Cf. H. Spencer: *Social Statics*, 1893, p. 120: "A function to each organ and each organ to its own function is the law of all organization. To do its work well, an apparatus must possess special fitness for that work; and this implies unfitness for other work." Also W. von Humboldt: *op. cit.*, p. 48.

The monopoly position (within its area) of the State as producer of the political goods of security is no more objectionable than, in the industrial fields, the monopoly position in the general interest of certain public utility corporations. It is much less objectionable, because its task is more important and the grounds are far more clearly made out for its inability to perform efficiently its function unless all are embraced within the local national (or yet broader) area of civil administration. But that States should be, in their regions, monopolists of all kinds of political facilities, to the exclusion of competition, is of far more questionable benefit to society or for the fulfilment of the wills of as many as possible. On the contrary, if the maintenance of security, safeguarded by force, is the primary function of the State, all other functions which it assumes must be related to and, at need, subordinated to considerations connected with force. And this is not a quality such as to render the State in any way *sui generis* as superior to, or more exempt from, modification and accommodation than other political societies, which are equally agencies of civilization. It is indeed not a high ideal qualification. It is the maximum of choice, rendered possible by competition of authorities so far as is consonant with the satisfaction of general and primary political needs, which tends to give the maximum of experimentation; and the maximum of experimentation, in variety of organizations, is likely to give the maximum of adjustment of institution to function and of social order to the satisfaction of those human wills which a repressive order can irritate but only education can change.

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[1] "The only acts which (the State) ought to enjoin or forbid are those of which the doing or not doing, *from whatever motive*, is necessary to the moral end of society" (italics mine) (*Lectures on the Principles of Political Obligation*, section 15); the function of government is "to maintain a condition of life in which morality shall be possible, morality consisting in the disinterested performance of self-imposed duties".

[2] W. Wilson: *The State*, ed. 1918, p. 68; B. Croce: *Grundlagen der Politik*, 1924, p. 31: "aber man darf nicht vergessen, dass der beste Staat nur der ist, der den menschlichen Fortschritt fördert" (Ital. ed., 1925, p. 35).

Society, Association, and Community. Governmental organizations are factories, and Governments are producers or manufacturers, of political goods. Churches, trade unions, large industrial concerns, clubs, even in certain respects families, are likewise organizations for producing social securities and facilities which the individual cannot procure by his unaided power. It has been the merit of the school of political pluralists that it has pointed out that other social organizations have an independent existence, besides the State, by virtue of this or that function which their executive machinery as truly performs for society as the civil Government itself performs a function[1]. If, moreover, we do not wish to be caught in the barren choice between emphasis on the natural and sovereign rights of State or Church and the natural and indefeasible rights of individual or group, it is necessary to point out that none of these organizations are self-sufficient and absolute, but are all alike to be understood in terms of their social function. State and Church are organizations of persons placed under order and rule to assist by their labours in the production of certain social goods. Governments and authorities, ecclesiastical or civil, are the managing directors in this manufacture. They are collectively instrumental institutions for directing the provision of this or that among the needs of human beings. They mould men, but they and their controlled organizations—even the family as an organization—are made by man and for men.[1]

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[1] H. J. Laski: *Grammar of Politics*, 1925, p. 29: "We must avoid the elementary error of identifying the State with the whole hierarchy of social institutions." A. D. Lindsay: "The State in Recent Political Theory", *Political Quarterly*, p. 134: "It is absurd to think of the associations within a State as being created by the State. They and the State are equally the expressions of men's social nature and the outcome of their common interests. The State may be necessary to control them. . . . The State, therefore, can have control over the corporations within it only if, and in so far as, the citizens are prepared to give it such power." G. D. H. Cole: *Social Theory*, 3rd ed., 1923, p. 140: "The functional principle destroys any such claim" (to complete absorption in the State); "for its denial that the individual can be 'represented' in any complete sense means that social organization, however vast and complicated it may be, leaves the individual intact and self-subsistent, distributing his loyalties and obligations among a number of functional bodies, but not absorbed in any or all of them".

If, however, State, Church, and the rest (when distinguished from their respective governing authorities) are to be regarded as only passive organizations, and Governments and hierarchies as executive or organizing institutions, of society, what then is this society?[2] Are we not compelled to say that, so far as it is not a mere vague abstraction or aimless collection of human beings,[1] it is an organized whole, bound together in an all-inclusive organization, and hence is the State? The State, it may be said, is ideally the community, and thus performs all the functions of a community.

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[1] G. D. H. Cole: *Labour in the Commonwealth*, p. 216: "The Commonwealth was made for men and not men for the Commonwealth." Cf. W. von Humboldt: *op. cit.*, p. 117. The Commonwealth here presumably means the organizing system. If so, the truth of this is made clearer when this same truth is expressed in a simpler age by St. Thomas: "rex datur propter regnum et non regnum propter regem".

[2] The distinction between Society, State, Government, and Executive is very important. Bentham (*Fragment on Government*, ed. 1891, p. 133) wrongly supposes that when a society becomes solidary in terms of common conventions, "government results of course". On the contrary, in many primitive tribes, despite customary cohesion in the tribal group, we must declare that the organized society does not extend beyond the family community, or, more properly, we must admit that there is as yet in this tribal group no recognized fount of authority and sanction for custom (Burckhardt: *Notes on the Bedouin*, I, pp. 115–16, on Arab society; H. Spencer, *Principles of Sociology*, 2nd ed., Vol. II, pt. v, § 454, p. 288, on Fuegians; *ibid.*, § 228, on Esquimaux; cf. J. Locke's distinctions). This primitive *society* may be organized authoritatively, in terms of various kinds of organizations, of which one is the *State*. When the State is regarded as the preeminent organization, its limits define the society which is held to constitute a community. The organizing instrument by which a society is organized, and maintained organized, is (especially in the case of the State) called the *Government*. The so-called "sovereign will of the State"

It is, however, unsound to insist that qualities or functions are of the essence of the State which some States do not possess or perform. Entry into the State as an all-inclusive organization is not normally by choice, but without choice and by birth within certain treaty frontiers. A State includes all therein, criminal and philosopher, pagan and Christian, fool and wise. Essentially

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is the declaration by the recognized organs, not necessarily the *Executive*, in a constituted Government, of what is authoritative, which declaration derives prestige from the presumed assent or consent (which in a Democracy can be shown explicitly) of the majority or constitutionally weightier part of the members of the State organization. The Sovereignty of the State is the legally unchallengeable authority of the-men-in-the-Government-with-assent. In this sense, Croce can rightly say that, for anybody who prefers to talk in terms of the tangible, not abstractions, "the State is nothing other than the Government" (*Elementi di Politica*, 1925, p. 14). No abstraction in Politics is more dangerous than that of the State-Person, *neither* Government *nor* organized citizens, but the ghost of the sovereign prince, disembodied, crowned, and sitting on the books of the lawyers. On the other hand, anti-State writers, from St. Augustine to Tom Paine, speaking in the name of an insurgent group, endeavour to throw Society and Government into opposition: "society is produced by our wants and government by our wickedness" (T. Paine: *Common Sense*, ed. Conway, 1894, p. 69).

[1] B. Bosanquet: *op. cit.*, pp. 184–5: "By the State, then, we mean Society as a unit, recognized as rightly exercising control over its members through absolute physical power" . . . (p. 328) "the object of our ethical idea of humanity is not really mankind as a single community". Cf. Treitschke: *Politik*, p. 54: "Society has no single will and we have no duties to fulfil towards it." Treitschke continues: "In meinem ganzen Leben ist es mir noch nicht eingefallen, bei meinen sittlichen Pflichten an die Gesellschaft zu denken; ich denke nur an mein Volk, dem ich soviel Ehre zu machen suche als Ich kann." Also J. G. Fichte: "The Characteristics of the Present Age", *Popular Works* (trans. W. Smith, 1889), p. 161: "The State . . . as its common purpose is identical with that of the human race, it must regard the aggregate of its citizens as the Human Race itself. . . . It is therefore the same thing, whether we say, as above, that the State directs all individual powers towards the life of the Race, or, as here, that it directs them towards its own life as the State."

the State-as-People (as distinct from what is sometimes misleadingly referred to as the State, *viz.* the State-as-Government) is heterogeneous, or only in the loosest sense homogeneous. The like-mindedness of its members is not essential to its functioning.[1] On the other hand, coercion cannot be regarded as a necessary element in the constitution of the ideal community—if we are to talk of such—and, to this extent, the distinctively coercive institution cannot as such be maintained to be obviously the distinctively ideal and only proper form of community organization. The State may well be the prerogative institution because it alone, as coercive, is universal. As the organization of justice, it may be preeminently a moral institution. But this is not to assign to States, in either their municipal, national, or imperial form, that ideal quality which permits them not only to include the Community, but to define, complete, and absorb it. The State is not, therefore, the preeminently moral institution. The Community, as Professor MacIver has pointed out, is one thing, and the State, as one particular organization of the Community, is another.[2] In our own age one form of State (the national) is regarded as the prerogative organization. But, to the churchly mind, not only is the Church an organization of the Community, but a particular form of Church appears to be self-evidently the prerogative organization.[3] States will only be different in quality, as organizations of the Community, from ecclesiastical and industrial organizations if the Community or society is so defined as to be that aggregate of which the State in fact is the organization.

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[1] But cf. Rousseau: *Du Contrat Social,* IV, ii, n. 2 *contra.* It is on the basis of this heterogeneity in ideal that the Pluralists have asserted that the methods of the State must be experimental and pragmatic. It is not true, as is held by the theorists of the indefeasible natural rights of States, that "the State must be obeyed on the simple ground that it is a State" (H. J. Laski: Introduction to *Vindiciae contra Tyrannos,* ed. 1924, p. 45). On the contrary, "The State . . . must posit fallibility as its foundation. It must realize that what it does is not right because it has willed to do it, but right because it works".

[2] *Vide supra,* p. 390 n. 3. O. Gierke: "Die Grundbegriffe des Staatsrechts und die neuesten Staatsrechtstheorien", *Zeitschrift f. d. ges. Staatswissenschaft,* 1874, p. 306.

[3] Stephen of Tournai: *Summa Decreti,* Introduction: "civitas ecclesia; civitatis rex Christus; duo populi duo in ecclesia ordines, clericorum et

A *community* may be defined as "any area of common life". Since, however, merely economic "solidarity-by-difference" or ethnological "solidarity-by-similitude" may constitute such an area, without there being in the inhabitants any sense of a common life, it seems desirable to follow popular usage in stressing the psychological and moral significance (in the sense of common *mores*) of the term. By a "community", then, we shall mean, with Plato,[1] an *intensive* society characterized by a certain having in common of pleasures and pains, involving a conscious solidarity. It remains to find a term for that body of actually related persons, whether by economic interchange, geographic association, common civilization or traditions, or like bonds which make them objectively in a condition of mutuality and interdependence more permanent than the mere physical contiguity, with crude psychological concomitants, of a crowd organization. For this *extensive* collection of groups mutually related, however vaguely or however intimately, apart from consideration of the degree of conscious solidarity, we shall reserve the name of *society*.[2] A specific collection,

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laicorum". Otto of Freising expresses the same sentiment when he says that "history is not of two cities, but of one only Church, instituted of two elements, divine and human". Cf. Boniface VIII in *Unam Sanctam* (in Mirbt: *Quellen zur Geschichte des Papsttums*, 1911, p. 163): "Igitur ecclesiae unius et unicae unum corpus, unum caput, non duo capita quasi monstrum. . . . In hac eiusque potestate duos esse gladios, spiritualem videlicet et temporalem, evangelicis dictis instruimur." Cf. Gierke: *Political Theories of the Middle Ages* (trans. Maitland), pp. 10, 18; R. W. and A. J. Carlyle: *Mediaeval Political Theory in the West*, II, 2, ch. x; also E. F. Jacob: *Legacy of the Middle Ages* (Crump & Jacob), p. 521.

[1] Plato: *Republic*, § 462b: "*ἡ ἡδονῆς τε καὶ λύπης κοινωνία*".

[2] Cf. Professor Graham Wallas's use in his book *The Great Society* (1920). Professor R. M. MacIver (*Community*, 1917, p. 5) writes: "Wherever living beings enter into, or maintain, willed relations with one another, there society exists." This definition is modified by Mr. E. Jenks so as to

be it as wide as those who share a civilization or a culture, or as narrow as the membership of a benefit organization, we shall call "a society".[1] Such a society, as has already been said, will be called an *association* when organized for a specific or determinate end, a *group* when organized in relation to a general function rather than for a specific and terminable purpose.

The *organization* itself, usually controlled through narrower "institutions" and held together by common rules or "conventions", to which these institutions give

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exclude all but harmonious or peaceful relationships, and society is defined as "a body of persons engaged, consciously or unconsciously, in uniting their efforts to pursue similar and, ultimately, even common objects" (*The State and the Nation*, 1919, p. 3). Community (p. 4) is described as a "vague and almost indefinable association". While reversing (in a fashion which appears to be consonant with popular, as with Platonic usage), Mr. Jenks's stress in the degree of intimacy of relationship implied in the words "society" and "community", we may well agree with the stress on a possible unconsciousness in "society" (which corresponds to "mutuality", cf. *supra*, p. 220). On the other hand, "community" would appear to imply conscious solidarity. The stress which Professor MacIver lays, in discussing political phenomena, on the "willed relationship" is significant, but such a relationship appears to issue in organizations which must, it is suggested, be distinguished from the social *prima materia* (in the terminology of the text, "society"). And it is the outstanding merit of the political theory of Professor MacIver that he has excellently distinguished the State, as organization, from the social substratum or substance, whereas the earlier Pluralists, following Gierke (*Das Wesen des menschlichen Verbände*, Rede bei Antritt des Rektorats, 1902, p. 32; *Die Grundbegriffe des Staatsrechts und die neuesten Staatsrechtstheorien*, Zeitschrift f. d. ges. Staatswissenschaft, XXX, 1874, p. 292) and Maitland, and ultimately Fichte and Schelling, merely placed over against the *persona realis* of the State other corporations as equally *personae reales*, understood not as "masks" or organizations, but as independent entities. What the present writer is not equally happy about is whether Professor MacIver, having distinguished State, society, and community, has sufficiently emphasized the psychological nature of this last as a like-minded, rather than an external and territorial, group, and hence whether he has raised some of the most crucial problems involved in the theory of community (*vide* the writer's article on "The Like-minded Group", *Philosophical Review*, Vol. XXXVI, No. 3, May 1927).

[1] W. Willoughby (*Fundamental Concepts of Public Law*, 1924, p. 4) defines: "An aggregate of human individuals, united by a mutuality of interests and by what has been termed a 'consciousness of kind', is termed a society." Thus Western civilization in terms of a common material

effect, converts the "society" so organized into a functional "group" or particular "association".[1]

Any organization of society constitutes "a society". But what organization constitutes that particular society which is to be called "the Community", which becomes the primary social group and compared with which all other organizations constitute mere secondary social groups and associations or reorganizations of the personnel of the community? Which is this prerogative organization whose "group" is "the Community"? The answer would seem to be that men (or society) behave at different times, in response to various given situations, by certain distinguishable methods. Here we see nothing of mutually exclusive entities, such as a primary social group, a society or a community, but only individuals acting in a like way and grouping themselves, in terms of this situation, in this system and under these conventions to act by a certain method, and, in terms of that situation, in that system. The factors of the situation

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civilization, and still more in terms of a common spiritual culture, can be said to constitute, in a "light" sense, a society. On the other hand, Professor Giddings's definition, quoted by Professor Ogburn, of society in terms of subjection "to common stimuli, to differing stimuli, and to interstimulation", while ambiguous, would seem more nearly to correspond to that intense society which, specifically, we have denominated "a community". Willoughby would limit a political society (having in mind the State) to one "such as, in its very nature, is not incapable of continuing for ever in virtue of the principles which gave it birth". Strangely enough, he cites here, as the opposite of what we have called a Group, not a business or civil Association to attain some object not only limited but terminable, e.g. the promotion of an engineering plan or the repeal of a law, but the Family—surely something quite other than an "external" and mechanical association for *ad hoc* purposes and more comparable to the State itself in its generic nature (*Nature of the State*, p. 21; cf. A. Comte: *Cours de Philosophie positive*, IV, p. 419: the family excludes "toute pensée de coopération directe et continue à un but quelconque"—it is essentially a community group). The State, after all (like the Family), has a function, although the school which identifies the State with the Community and with organized civilization, as a self-sufficient and self-justificatory entelechy, often tends to forget it. I should add that I see no reason for treating the words "society" and "national society" as synonymous.

[1] Cf. *supra*, p. 88 n. 1.

determine the groups and they overlap, but are not necessarily concentric. Not all the other groups are within any one group, but individual persons are members of many groups. In a given age, however, one group (City, Church, State, Nation, Nation-State) will seem to perform a more valuable function than all the others, and men will be more stimulated by the demands which it exists to meet, and more strongly of one mind in performing the duties of its conventions, than in performing the duties of their membership in other groups. Its political goods, for those men at that time, will be the most highly prized social goods. For that age and area this group will be the community and chief socializing agency.[1]

Realistically, then, we have, not a society, but societies organized in a myriad overlapping or included groups. Nevertheless, by a process of social valuation, one group assumes the rôle of being generally (or privately) esteemed to be the community. Because it is a matter of valuation or price placed upon the goods it affords (however much this valuation may be dependent upon environmental circumstances and the conditions of a civilization), there may be legitimate difference of opinion about which particular group is entitled to regard itself as the community; but the members of each claimant group are like-minded in regarding their group as being the community and as performing for them and in terms of their experience the most valuable social function.[2] Thus the State, of which the subjects were only like-minded in terms of a common military and legal tradition, a common fear for their common security and a desire for some ulterior benefit in civilization to be found through peace, gained immensely in strength when it became identified with the Nation—a group of persons most of whom were like-minded in the value which they set on a tradition of common blood or of speech.

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[1] G. Ratzenhofer: *Wesen und Zweck der Politik*, 1893, I, pp. 13–14: "dieses Herrschaftsverhältnis ist der Staat, und als solches ist er ein politisches Gebilde . . . dass der Staatszweck die Vergesellschaftung der innewohnenden Individualitäten ist . . . dass die politischen Gesellschaftsgebilde den Gesellschaftskampf einschränken, aber endlich unbedingt weichen müssen, um andern politischen Gebilden der socialen Nothwendigkeit Platz zu machen". Ratzenhofer here seems to follow Hegel, who by his doctrine of historical evolution left for himself a loophole and showed himself more profound than modern dogmatic exponents of the permanency of Nation-State forms.

[2] H. J. Laski: *Grammar of Politics*, 1925, pp. 249–50: "The claim of authority upon myself is, firstly, legitimate proportionately to the moral

State, Church, and similar groups may be regarded as "species of a larger genus", species of which "neither is dependent upon the other",[1] but each is an organization for facilitating by its functions the fuller life of society, which may be identified with humanity itself. "The real unit of allegiance is the world. The real obligation of obedience is to the total interests of our fellow-men."[2] The needs of humanity remain, however, a matter of subjective opinion except in so far as humanity is organized into authoritative groups, capable of giving objective expression to social wishes, and especially into that group which we choose to regard as prerogative for the particular occasion or as prerogative in all critical issues and hence as the community. Our moral liberty lies, not in the abstract freedom of detachment, but in our retention of the power of moral choice between social organizations in deciding which we shall regard as prerogative. No authority can deprive us of this power of choice, based on the autonomy of the will, to cooperate freely or to adopt a non-cooperative attitude of mental resentment which is the potential parent of resistance. But this power may not be recognized, and the dependence of political structure and authority upon the willing labour of individuals and the free cooperation of their wills may be forgotten.

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urgency of its appeal; and it is, secondly, important to make its decisions as closely woven from and into my own experience in order that its claim may be at a maximum." Cf. *ibid.*: *Karl Marx*, 1925, p. 43.

[1] H. J. Laski: *Introduction to the Vindiciae Contra Tyrannos*, 1924, p. 5.

[2] *Ibid.*: *Grammar of Politics*, 1925, p. 64.

During certain periods of human history Churches, whether Islam or (and more particularly) the Catholic Church, have made, as highly organized groups, claims to be regarded as the Community, on the ground that salvation is superior to worldly security and happiness, that the spiritual is superior to the temporal, and that the primary office of the State is the merely auxiliary one of maintaining that peace and order within which the good life under the direction of the Church may be lived. The State may be the guard of civilization, but it is not its guardian, and its position is subordinate and not sovereign.[1] It may well be that, at a higher stage of culture and civilization than the present, more stress will be placed upon like-mindedness, and hence upon the genuinely voluntary, as distinct from the compulsory group, and that the future organization of society in communities will more closely resemble churches than empires.[2] But the present preoccupation of men with the life of this world, although not with the world of each man's own span of life; the recognition that eternal experience is an intensity of experience now, not an experience deferred to a temporal hereafter; a disbelief in that immortality which is a temporal extension of the individual life, although not perhaps inconsistent with the subtleties of orthodox theology, are sufficiently remote from the popular conception of what is held by churches, as well as sufficiently general, to preclude these groups from organizing the present-day community. The future is a matter for speculation. Similarly the Family, basis of Chinese political organization with its stress upon like-mindedness springing from natural sentiment, is likely to play a greater rather than a smaller part in the communal moulding of society, although probably in a very different form from the present private two-apart-from-the-world institution. Already there has been a significant transition from the princely State or realm, characterized by legal and military authority tempered by loyalty, to the patriotism of the national State based on a belief in some kind (however subjective and psychological in basis) of kinship of the members.

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[1] "Imperator filius est, non praesul, ecclesiae" (Gelasius I, Ep. i, 10, quoted by A. J. Carlyle: *Mediaeval Political Thought of the West*, I, p. 187). "Ita etiam terrena civitas, quae non vivit ex fide, terrenam pacem adpetit in eoque defigit imperandi oboediendique concordiam civium, ut sit eis de rebus ad mortalem vitam pertinentibus humanarum quaedam compositio voluntatum" (St. Augustine: *De Civitate Dei*, XIX, xvii). "Non autem recte dicitur ea bona non esse quae concupiscit haec civitas, quando est et ipsa in suo humano genere melior. Concupiscit enim terrenam quandam pro rebus infimis pacem; ad eum namque desiderat pervenire bellando" (*ibid.*, XV, iv). The notion that the task of the State is the maintenance of peace by arms and laws is emphasized alike in the Good Friday prayer for the Holy Roman Emperor (*Missale Romanum*) and in the preface to the Digest.

[2] Bryce: *Studies in History and Jurisprudence*, 1901, p. 486: "the obedience rendered to authorities commanding physical force is not always nor necessarily the promptest and the heartiest".

We live, moreover, in a world where the expert methods of industrial management are being more and more taken over into civil government and, on the other hand, social improvements are being affected through economic agencies owing to some increase of the sense of responsibility to the democracy of industry on the part of those at the head of business undertakings. We cannot, therefore, ignore the possibility of a civilization where whole areas of social life will be under the control of industrial organizations. Such agencies of social control may be, as in Mussolini's Corporative State, linked to the civil organization, or they may be corporations and brotherhoods largely independent of it.[1] It is clear that organizations conceivably providing not only livelihood, but all the comforts and facilities for occupying times of leisure ("Dopolavoro"), may cover so broad a portion of all social life as to have a reasonable claim to pose in their total organization as the community, and as having as good a claim to moral allegiance as at least certain forms of coercive State. Although only the fierce internationalism of the class group and of the Communist Manifesto is likely seriously to challenge the State as the prerogative community, the modification of economic organization so as to enable it to fuse (as in the hive philosophy of Fascism) with the Nation-State or the modification of the national State in the direction of an organization "for the administration of things" seems possible enough. An economic association, however, is not *eo ipso* like-minded, and a community founded on economic organization alone appears to be likely to be more complete in mechanical interdependence of parts than in any spirit of loyalty or sense of a supreme value attaching to its function.

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[1] F. Oppenheimer: *The State*, 1908 (trans. Gitterman), p. 276: "The 'State' is the fully developed political means, 'society' the fully developed economic means. Heretofore State and society were indissolubly intertwined: in the 'freemen's citizenship' there will be no 'State', but only 'society'." N. Lenin: *State and Revolution*, p. 99: "The State will be able to wither away completely when society has realized the formula: 'From each according to his abilities, to each according to his needs'."

The State in some form may well be argued to be for our age still the most satisfactory kind of community organization and the only one which need be taken seriously into account. If the external aspect of its function of maintaining security against foreign foes is likely to be less often used, in a stage of civilization where any national organization fitted out for war rather causes insecurity in civilization than maintains security for it, the internal use of coercive power may be required as never before in an age when the delicate adjustments attempted by the new social legislation are so easily to be frustrated by wilfully obstructive persons or groups. A scientific attitude towards political institutions will lead us to recognize in them not so much objects of enthusiasm or hate as means concerning which we merely inquire whether they are effective for desired ends and whether the ends which they subserve are any longer desired. We shall strengthen these instruments or weaken them, not on *a priori* principle, but according to the needs of the place and time. States have now a heavier task than in the last century, and the movement generally recognized is towards an even broader extension of the scope of their activities beyond that defined by Lord Melbourne as being "to prevent crime and to preserve contracts". Admitting, however, that it is true that even among neighbours we cannot rely upon spontaneous cooperation or suggestion or education alone, but must keep in reserve the coercive power of the secular law, it is not equally certain that this State must be the national State or *grosser Staat*. "It looks almost as though the State as it now exists were either too large or too small for any principle on which we may try to rest its supremacy over other associations . . . intenser loyalties are easier in smaller, more homogeneous bodies."[1]

In view of the express warning of Aristotle against the pretensions of the large State, and in view of the contributions to civilization of Tyre and Athens, Carthage and early Rome, Venice, Florence, Nuremberg, and the Hanseatic towns, the United Provinces and the Swiss Confederation, Geneva and Weimar, it seems questionable whether culture can ever attain a like intensity in vaster, more mechanical communities in which civic pride has a less personal significance and in which public opinion, to foster and to regulate, is more lethargic. A community on too large a scale becomes impersonal and service for it must become a matter of abstract duty. To attain recognition when the mass of men are entirely unknown to each other and the face-to-face group has been replaced by a magnificent abstraction, the individual must possess qualities which produce a character rather remarkable for tact or for a forceful use of advantages than for personally unambitious and disinterested devotion. On the one hand, in an epoch when even war itself cannot be waged by national States successfully on their own national principle, but the principle of the international "united command" has to be accepted, international organization, civil and economic, is the order of the day. Measures for regulating communications, measures against the spread of disease, finance, diplomacy, even measures against crime, which is no longer (like the civil instruments for its repression) merely national in scope—all require internationally concerted action. Still more important, unless municipalities are to fall the prey of business interests (even of legitimate business interests), all local community life must be fitted into the framework of a civil organization as broad as, and stronger than, these economic associations. On the other hand, as we have said above, certain kinds of industrial, health and social regulations, educational and cultural provisions, can scarcely be entirely successful if extended much beyond the scope of the local community. These two movements, towards devolution of powers upon the city State or municipality and towards the widest internationalism, are not to be regarded as contradictory. The former remedies the mechanically legal and military organization of Rome—it permits the expression of beauty in social life; the latter remedies the military weakness of the ancient States of Hellas—it gives social efficiency. The former represents the natural evolution of cultural autonomy; the latter represents the natural evolution of political sovereignty.[1] In one sense, the small group, adapted to the intensive life, constitutes the community; in another sense, the extensive group, which retains the ultimate sovereignty of physical force and which may become identified with humanity itself, constitutes the community.

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[1] A. D. Lindsay: "The State in Recent Political Theory", *Political Quarterly*, I, 1914, p. 136. Of civil organizations on an even larger scale, the Master of Balliol (*ibid.*, p. 142) says: "Large and heterogeneous States, like the British Empire, are only possible because they enforce over all their extent only elementary conditions of social life. Developed States are possible inside such organizations only if they are given some kind of legislative and administrative autonomy." Other State forms besides the dominion (or "national") State are possible inside the larger federation. A man may have allegiance to the British Commonwealth, Canada, Manitoba, and Winnipeg. We may even go so far, if we contrast the large-scale State with lesser units such as cities and voluntary organizations, as to say with Wilhelm von Humboldt (*Sphere of Government*, trans. Coulthard, p. 87): "A State is such a complex and intricate machine that its laws . . . cannot possibly prove adequate to the full accomplishment of its ends. The great essentials for social welfare are always left to be secured by the voluntary and harmonious endeavours of the citizens." The passage, however, despite its truth, has an unpleasing smack of *laissez-faire* and of anticipatory Spencerianism.

The Like-minded Group. In the economic world it is not possible to isolate a given type of organization as "the primary industrial group" and to treat all other organizations in that world-wide network of relations as "secondary groups". So in the political world, since the extension of civilization and communication has placed almost all the earth's inhabitants in a relation of mutuality and has made human society identical with the human race, what is to be observed is men in interlocking groups, some of which are denominated communities; but no chasm is to be discovered between one community and another, or even such negative independence as between bee-hive and bee-hive. In this "great society" are societies, groups or associations, various as are the needs of men, and held together in some form of control-relationship. The variety is like the variety of the human mind, and each society, as Plato pointed out, has a character which is that of some kind of mind or idea writ large. Those of like-mind tend to associate, thanks to their common idea or "purpose" (whether terminable or interminable). They are characterized, more truly than any other kind of society, by a common idea. Social conventions are based on mental traits and are various. Until, then, all men have one psychological outlook, one social convention or order must be regarded as artificial and can only obtain thanks to a repressive force which cramps the individual mind.

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[1] That a world State will ever assume a unitary and not confederate form appears to be improbable in view of the strength of national cultures (even in Wales and Scotland). However, with the lesson of the breakdown since the eighteenth century, save in such cases as Alsace, of provincial cultures before the national State, it is well to recall the observation of Professor Elliott: "The pluralistic conception of the nature of the federal union has yielded to the conception of unified sovereignty, wherever national concerns were at stake. And this has occurred through the dialectic of historical facts, and is continuing to change constitutional theory to fit those facts. Federalism can hardly be irreducible and ultimate" (*Pragmatic Revolt in Politics*, 1928). The same thought will be found underlying Professor K. C. Hsiao's *Political Pluralism* (1927). France is as resistant a cultural entity as Brittany, but whether it will prove more so than was Brittany against military pressure in favour of "unified commands", economic pressure, mechanization, broadcast news, and the like, it would be rash to prophesy. In the opinion of the writer it is to be hoped that it will prove so. A world State has, of course, not the advantage in overruling local cultures of the fear of foreign insecurity, but has as its only lever the fear of domestic disturbance and insecurity; the same remark, however, does not apply to great regional federations and confederations.

Further, the more the connection between mind and body, between psychological characteristics and physical peculiarities, is recognized, the more such reduction of all conduct to one standard and of all social order to a uniform pattern is likely to become regarded as dangerous and unnatural. The task of the eugenist and criminologist may perhaps be to weed out the deformed. But the task of the educator is to provide for the unperverted unfolding of the characteristic talents and natural gifts of the individual.[1] And the task of the politician and legislator is to provide a social order in which these gifts may be exercised so far as they are consistent with a balanced fulfilment of the wills of others, and not only so far as

[1] B. Russell: "Is America giving a chance to Individuality?" (*Nation's Business*, iii, 1928): "To attempt to force exceptionally able children into intimate cooperation with others of quite different mental calibre is to go against their own perfectly sound instinct, to expose them to ridicule on account of their originality, and to render them in later life intellectually and socially timid. I have little doubt that this kind of pressure from a humdrum environment is the chief cause of the very small amount of intellectual and artistic achievement in America compared with any equal population in Europe." The social corollary of this is, as Professor Laski and the Pluralists point out, "we are in, so to say, not a universe but a multiverse".

they are consistent with traditional conventions and formulae of some erstwhile balance of power.[1]

Where redundant restrictions are not imposed upon individual development, and where the individual has been educated to exercise his will in pressing for their removal, groups tend naturally to spring up of those of like tastes, not only alike in respect of some standard uniformity, but alike in that they are complementary in what each can give and each would receive—alike in being psychologically *en rapport.* Hence arises that stimulation and renaissance of individual initiative arising from social contact, that sense of exaltation of spirit which is the very sap which leads to the bloom of civilization.[2] Such groups, whether they assist the development of interests artistic, scientific, literary, linguistic, national, political, economic, convivial, or religious, usually exist chiefly to perform a limited function. Sometimes, however, a society of like-minded persons may be organized into one group for almost all the purposes of life, and as such the group is a *communitas perfecta*[3]—a community of pleasures and pains, even although it may leave, for example, its military protection to another organization and is anyhow not, of course, self-sufficient economically or culturally.

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[1] L. T. Hobhouse: *The Rational Good,* 1921, p. 139: "The harmony reached through development is always more complex and is more difficult to attain than the order based on repression, but it is intrinsically good, while repression is at best a necessary evil." (Cf. Plato: *Republic,* trans. Davis and Vaughan, p. 443).

[2] W. Godwin: *Political Justice,* ed. 1796, p. 238: "A thinking man, if he will recollect his intellectual history, will find that he has derived inestimable benefit from the stimulus of colloquial suggestions; and, if he review the history of literature, will perceive that minds of great acuteness and ability have commonly existed in a cluster." Cf. M. T. Follett: *The New State,* 1915; also the writer's article on "The Like-Minded Group", *op. cit.* The present writer confesses that he is unable to conceive of any higher type of society than that of the monastery, although perhaps rather of the Platonic than of the ecclesiastical kind. The chief objection seems to lie solely in the fact that only some groups of men, and not society at large, is at present civilized enough for such a fashion of living. If by "natural" we mean "primitive", such large households certainly seem to be more natural than our present anti-social and Cyclopean moroseness.

[3] St. Thomas Aquinas: *Summa Theologica,* II, 1, qu. 90, section 3. The Aristotelian demand that the true community shall be αὐτάρκης is, strictly taken, impossible of fulfilment, whether we are discussing like-minded group, city State, or national State.

Apart from religious settlements, municipalities moved by a strong sense of civic pride and a keen communal interest tend to be like-minded groups of the communal kind. Although possessed of police power they are, owing to ease of access and egress, *états libres* (in Rousseau's sense of the word) such as it is neither legally nor economically impossible for the individual or family to quit, and are in effect voluntary societies. As voluntary, they are entitled to draw the logical conclusions of their own accepted principles and to enforce a single moral system upon those who choose to be members of them. The conventions which obtain in such communities can rise to far more exacting heights than those of a State, because their law is not the highest common factor of a compulsorily gathered and heterogeneous aggregate. In such voluntary communities the tension and friction between involuntary minorities and dominant majorities can be reduced to a minimum.[1] Towards such communities, be it a nation or be it some like-minded group of more exacting and detailed standards, the religious spirit of man, which seeks a cessation of the strife of ambition and of the chaffering about interests, naturally turns. The like-minded community can alone at once satisfy, by its cooperation in procuring for each appropriate gratifications, and allay, by its atmosphere of mutual understanding and guarantee, the pursuit of power, whose parents are the undying emotions of hope and of fear. Here alone is the solution of the fundamental antinomies of Politics.

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[1] It seems that there would be no objection to the Fascist (or any other) experiment with the Platonic State, provided that the individual who may happen to dislike it (and had no option about being born there) were provided with equivalent employment elsewhere and a free railway pass out of Italy. Otherwise our political philosophy reposes upon a basis of force and upon the maxim that "it is expedient that one man perish". There is, of course, no objection to a philosophy of force except that it will not yield a doctrine of duty. Hence no moral claims can be made upon the dissident. There is no reason why a monastery should not impose even the severest discipline, so long as the monks have entered freely and may freely leave. But Platonic censorship and compulsory membership provoke among those who resent their position the opposite of a conforming moral idealism—and those who may never resent, never choose and have no autonomy of will, can never grow to mental adulthood. The statement of T. H. Green is sound that "no rights can exist, only power, when there is no consciousness of common interests" (or better, "a consciousness of no common interests"—paternal authority over unthinking children is not a mere exercise of "power", but the "rights" are those which the child is trained by his parents to expect).

Cooperation and Sovereignty: (*a*) *Cooperation.* The field of political science we have defined as the study of the control-relationship of wills, as these strive for the execution of the actual wishes of individuals. This control-relationship is not, however, necessarily one of domination, nor is domination by force the most stable form of social balance.[1] If we agree that man, in his political activities, can be viewed as striving "for power after power until he be dead", this power must be understood as power to fulfil his will, not always as power against others, but also as power with others. To define politics in terms of power or control is not to explain politics in terms of domination or force.

As the acquisitive impulse is at once satisfied and stilled for those men who are assured of reasonable wealth in a society in which steady service rather than competition assures the individual of an economic competence, so the desire for power may be stilled for those in whom it is not abnormally developed, but only on condition of its first being satisfied. In a society in which each man is confident that such of his wishes as he himself has been brought to believe are good for him will be gratified, and gratified the more certainly if he makes no attempt to grasp after domination, the conflict for power will come to an end, since each will have the assurance of that freedom which he in fact feels himself entitled to desire. The monastic community and various religious settlements, such as those of the Quakers in Pennsylvania, are societies of this kind. There is no reason, however, why such communities should necessarily be religious in type, apart from the fervour of communal devotion which can be aroused by the religious spirit. Any like strongly emotional principle or idea, powerful enough to render the members like-minded and their system of control one based on a confidence of reciprocity instead of on self-defence, would be appropriate.

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[1] No confusion is perhaps commoner than that which identifies conspicuous dominance with respect-worthiness, and hence makes of the former the expected basis of any permanent personal relationship, even the marital or that of teacher and scholar. Here the only partner is a ruler. (The reason for this would seem to be that, for all persons with any sense of inferiority or aversion to responsibility—and they are many—an auxiliary relationship to a recognized superior is more satisfactory and preferable to an equal relationship.) Sir Henry Taylor shrewdly remarks (*Works*, IV, p. 314): "If a man could be satisfied that the world was convinced that he was indifferent to the objects of ambition, then he might more easily be actually indifferent to them; but as the world must always be understood to assume that a man is aiming at such objects, the non-attainment of them seems to place him in a position of defeat."

It is unfortunately, however, not the case, as is admitted even by those best disposed towards philosophical anarchism, that such ideal communities always live at peace and in tolerance with each other. An ideal tends to be something which admits of no compromise, and the more fervently the ideal is held the more intolerance appears to become a duty. Whether it be an explicitly artistic principle or a religious or economic ideal upon which the community is founded, it yet remains true that "all art is a process of making the world a different place in which to live, and involves a phase of protest".[1] There is a certain quarrelsomeness involved in the pursuit of the ideal, and the more moral the ideal the graver the risk of this abuse.[2]

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[1] J. Dewey: *Experience and Nature*, p. 363.

[2] Kant points out that a Government which *imposes* upon its subjects all that ought to make them happy is the greatest conceivable despotism (*Principles of Political Right*, trans. Hastie, in *Principles of Politics*, p. 36).

A community founded on an ideal, whether it be monastery, *polis*, or national State, while possessing peace within, tends to violent dissensions with those without, holding other cultural ideals, unless all are held together in some common authoritative system, such as that with which Catholicism provided the monasteries and as that with which the League of Nations may provide national States. Moreover, the orderly and disciplined peace within is to certain types of mind intolerable,[1] and as in ancient Hellas, the more emphatic the socialism the more pronounced the individualism of the reaction.

On the one hand, there is the intense desire of many human beings, not only the simpler and more gregarious, but those who have been educated to a high standard of demand upon life, to "find themselves", in some close community of intense moral life. Even at the cost of wilfully representing the actual heterogeneous State as an ideal homogeneous State,[2] they discover this community, as an object of passionate devotion, in a State or *patria*. Sometimes it is discovered in a Church. Sometimes it is discovered in a group of friends. Sometimes in a family. Sometimes in a city. But wherever it is discovered, there is a passionate conviction, which elevates the man's whole life, that only in society, and this society, does a man attain personality, and that the individual standing by himself for himself is "a mere abstraction",[3] something

[1] The ennui produced in the mind of Hawthorne by a brief stay in a community settlement is described by Henry James (*Hawthorne*, 1879, p. 91). The story of Abelard is an equally interesting commentary, proving, not that the system is unsound, but that one system is not for everybody.

[2] Thus Hegel describes the actual State under the title of Civil Society (*bürgerliche Gesellschaft*), while basing his claims for the State on its ideal presentation as a community under the title of what he chooses to call "The State" (*Staat*).

[3] F. H. Bradley: *Ethical Studies*, 1876, p. 150: "out of theory, no such individual men exist. . . . What we call an individual man is what he is because of, and by virtue of, community". In more emphatic fashion, Hegel somewhere says: "individualism is the hall-mark of the devil". B. Bosanquet: *What Religion Is*, 1920, p. 12: "Be a whole or join a whole. . . . You cannot be a whole unless you join a whole."

unreal compared with this experience to be found in social life. There is a pleasure, not in self-assertion, but in self-sacrifice. The assertive will becomes bent upon showing itself and proving itself against obstacles in devotion.[1] The last expression of the will to power is the ascetic will, which refuses to admit that anything is too difficult and which courts hardship. It will conquer the world by not understanding defeat. Here is, in short, a religious or sublimated manifestation of the love instinct, and an impulse as strong as the impulse of race continuance itself.

On the other hand, however much human culture and the human spirit might gain were there more such *foyers* of intense moral life, whether religious or civil, within our civilization than it at present affords, a world all of whose individualism was an individualism of large groups and not of spontaneous societies of friends, or even of the "eccentric" and "original" solitary, would be more colourless and weaker in vitality than our present civilization. It may be that the "wild type", even the criminal, contributes something to the vigour of human culture. Certainly besides the Quietist and Quaker type, which desires cooperation instead of conflict for power, there is in the world the flamboyant type which makes its own contribution to art and to the colour of life, which enjoys the quick pace, the free friendship groups, the individual demands of metropolitan life, and for which conflict in itself and the sense of danger and adventure are good things.[2] As long as the gate of adventure is kept open the two types are not necessarily incompatible in one community, although the Quietist and introvert tends to prefer the country village, the convent, the college, or the small community, and the man of "the great world" tends to prefer the town and the metropolis. They only become incompatible when the socialism of the community remembers only to conserve old tradition, and forgets the value of vitality even when shown in an extravagant neophilia.

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[1] Thus the true believer welcomes such remarks as Hegel: *Philosophie des Rechts*, § 257: "The substantive unity of the State . . . has the highest right over the individual, whose highest duty in turn is to be a member of the State." "The State is the spirit as it abides in the world" (§ 270). Also "The State is the higher existence which lays claim to the life and property of the individual and demands the sacrifice of them." This, in effect, comes to mean that the Government, as the voice of the community, may demand this sacrifice; cf. B. Croce: *Grundlagen der Politik*, 1924, pp. 19–20.

[2] A line of thought not dissimilar from this is pursued by Tönnies, (*Gemeinschaft und Gesellschaft*, 1887, p. 284) who contrasts the Gross-stadt

The Responsible Community. Intense community life and an extensive civil framework of authority are both alike required for the development of civilization. But unstinted devotion to the community can only come when there is a reciprocal sense of obligation on the part of the community to the individual such as does not at present exist in our incompletely civilized society. Until it exists there is still a stigma of barbarism on our social life. We can only transcend the balance of rights and duties when the community gives as freely and impartially to the individual in rights as the individual pours himself out in the performance of public duties. A society which is not a community, since it does not embrace the entire social life of man, cannot expect unqualified allegiance because it has not unqualified social benefits to give in return. A community itself cannot expect unlimited devotion, apart from self-interest, for example in war, unless it is prepared to assume complete obligation, for example in peace, in respect of the reasonable needs of its members. Responsibility cannot be one-sided; the counterpart of the citizen performing unstinted service is the responsible community, in which not self-interested competition and

as type of a society with family life as a type of community. Yet metropolitan life singularly permits *within* its external framework the forming of intimate like-minded and what Professor Cooley calls "face-to-face" groups.

luck, but the reasonably sustained claims of the individual in the light of his needs and services as a contributing member of the whole are admitted. A co-responsible community can admit of no claims as of ultimate validity which rest on the private astuteness of the individual, and not on the diverse services which individuals are in fact prepared to perform for the body politic.[1] "Us" is the whole community, and not any part of it. Short of that we have not got a co-responsible community. "Our aim", as Plato says, "in founding the city was not the disproportionate happiness of any one class, but the greatest happiness of the whole."

Cooperation and Sovereignty: (*b*) *Sovereignty.* The State has, however, other plain functions in regulating the individualistically minded, or even criminal-minded, and the masses of those with heterogeneous ideals, apart from its ideal claims and services as a community (Hegelian *Staat*). In politics ideal behaviour cannot be regarded as simply actual behaviour considered in its most representative perfection, but only as one species of actual political behaviour. We are concerned, not with the ideal as beautiful, but with ideals as solutions sometimes attempted of practical political problems, and as sound because efficient. In political philosophy we are concerned with the world as idea; in political science our business is with the world as will. We have even seen reason to believe that the State-community is likely to come to assume a different form, such as the municipality or settlement (*polis*), from the peace-maintaining-State, which may assume the form of the Empire-State or world confederation. It is in terms of this latter function of maintaining order by arms and laws—not of the former with its voluntary and ideal basis—that the State is regarded traditionally as an universal form and framework of civilized life. "*Imperatoriam maiestatem non solum armis decoratam sed etiam legibus oportet esse armatam.*"[1] An ubiquitous State community of one type would destroy spiritual life by suffocation: a State which was solely legal framework would destroy spiritual life by starvation. Only the two together, allowing for the claims of both the moral influence of public spirit and the compulsory maintenance of order, nurture human social life.

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[1] Cf. Walther Rathenau: *The New Society* (Eng. trans., 1921), pp. 125–39 *et passim.*

The order-maintaining State also rests, as does the like-minded community, on consentient wills, thanks to a continued recognition of common utility.[2] But the actively consentient wills need only be those of the dominant part. Even, however, were all notion of domination of certain groups, or even of a numerical majority, over the remainder removed, there would still be need for the order-maintaining State to lay down regulations and to adjudicate disputes.[3] When it is remembered how far trade and traffic and health regulations lay down rules which affect things and non-human nature, and correct the difficulties arising, not from the wickedness of the human will, but from the peculiarities of goods or of fast traffic or of disease; and when it is remembered how far these regulations partake of the nature, not so much of military commands, of which *sit pro ratione voluntas,* but of rational solutions of practical problems, it will be perceived that the phrase "not rule of men, but administration of things" is a highly significant one. Nevertheless the rational administration of things involves the cooperation of men and, at need, the compulsorily procured concurrence of the less rational or of the over-wise among them. In an efficient order only one rule is feasible. And although this rule may cause pain to some individuals, the absence of one rule would cause pain to more individuals. Hence any group or majority which can in fact maintain a single rule is entitled to do so, if necessary by force, provided that its rule does not fall foul of the social facts and is, in terms of them, the most efficient available and the best practicable balance between wills and wills, and wills and environment. Any sound order must have behind it, not only contemplative opinion, but energetic will, and more of such will than is likely to be behind any alternative order in that time and place. It is rational in terms of being the best solution which a scientific and reasonable consideration of the social facts could give to the problem. It is just in that it actively or passively satisfies more (or more active) human beings than does any alternative order that the apportionment under it is rational.[1] The test of it is whether in fact it produces content or provokes discontent. Those who disagree may have a better sense for the beautiful and true, but until they can make the superiority of their judgment luminous to a dominant part of their fellows or stir them up by education or other appeals to be of the same mind, they must reasonably confess that they lack that power based on conviction which is the nervous force of any social system, and hence the guarantee for humanity of the conditions for progress to a more rational order and away from a painful and more chaotic order.

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[1] *Institutes, ad init.*

[2] *Vide supra*, p. 282. Cicero: *De Republica*, I, ch. xxv: "Est igitur res publica res populi: populus autem non omnis hominum coetus quoquo modo congregatus, sed coetus multitudinis iuris consensu et utilitatis communione sociatus." Grotius: *De Jure Belli et Pacis*, I, ch. i, § 14: "Est autem civitas est coetus perfectus liberorum hominum iuris fruendi et communis utilitatis causa sociatus." U.S. Supreme Court, *Chisholm v. Georgia* (2 Dallas, 456): "A State is a body of free persons, united together for the common benefit to enjoy precisely what is their own and to do justice to others." The State form does not, of course, originate, as according to the original contract mythology, in an *a priori* recognition of this utility. But in a choice of institutions the maintenance of a particular form rests on the continued recognition that it is preferable to alternatives.

[3] A. D. Lindsay: *op. cit.*, p. 139: "The State is necessary, not because men are selfish, but because their sympathy and interests and insight are limited as the effects of their actions are not" (in solidary or mutual society).

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[1] "Macdonald says arbitration is justice without passion. I agree. But there cannot be justice without some force behind it. We must combine right and might" (M. Herriot, speech on the Geneva Protocol, September 4, 1924). Cf. *supra,* p. 179 n. 1.

We are thus brought to the conclusion that the concept of sovereignty, as being that of an authority ruling *summa potestate ac ratione*, is one which cannot be discarded,[1] in so far as it points us to the arbiter which authorities themselves are prepared to acknowledge, *in a given social order*, in case of dispute. The ultimate arbiter of whether this social order shall itself be recognized is the individual who is in a position of inalienable autonomy (not on ethical grounds, but as a matter of psychological fact, owing to the actual operation of the illusion of free-will) to refuse—despite any amount of education—or to give his energetic cooperation. The ultimate norm of the rationality of acts of authority is whether they harmonize with the more permanent facts of the physical and psychological world (to which is the ultimate appeal), and with the less permanent and derivative *faits socials*. Hence there is an ultimate norm in natural law, and all sovereign law contrary to it is ultimately ineffective and futile.[2] But admitting consent for this social order

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[1] H. J. Laski: *Grammar of Politics*, p. 45 *contra*. As to its moral relativity —since it has no higher claim than the moral order expressed in the transitory social system within which it performs a political function— we are entirely in agreement with the Pluralist school and that of MacIver, and indeed with the Schoolmen (cf. Ptolemy of Lucca (?) in *S. Thomae Aquinatis Opusc. de Regimine Principum*, III, 12: "quia nomen istud a supremo dominio fastuose et elate trahit originem, unde et ille superbus Nicanor", etc.). The last enunciated, in their own terminology, with singular lucidity the doctrine that the sovereign *qua* person is subject to the law of Almighty God Who wills the maintenance of justice and order and that it is not the interest of any people which is the supreme law.

[2] Gregory IX (quoted Carlyle: *op. cit.*, II, p. 32): "Si juri naturali . . . (rescripta) contradixerint, refutantur omnino." This seems to me, as re-

(i.e. the entire system of social regulation, interdependent in its parts and accepted so far as the issue in question is practically affected), either because it is rational or because its rationality is not challenged, the problem still remains of the preference to be accorded to group against group in the event of collision of wills, and, in the event of their being equal, of what arbiter is to be recognized by these authorities themselves. Although its *situs* is likely to be changed in the not remote future onto an international plane, sovereignty as a notion is

stated in the text, a sound conclusion consistent with what we know of the principles of political science. The doctrine of natural law here maintained must be sharply separated from that theory, more flattering to the lawyers, which would see a fundamental and logical scheme of law existing *within* the body of law and apt to prescribe for the courts the appropriate decision or "right law" in each case (Bishop: *Non-Contract Law*, 1889, § 86). As Dean Pound wittily says (*Philosophical Theory and International Law*, Bibliotheca Visseriana, 1923, p. 80): "The critique by the analytical jurists of existing law in terms of existing law was as useless for developing a legal order as Baron Munchausen's device of pulling himself out of the swamp by his own whiskers." On the contrary, the courts, to the extent to which they rely upon precedent, follow a method other than that by which scientific law is discovered, since, if two precedents are in conflict, it far from follows that either the conflict is only apparent or that one or the other is wrong; both decisions may be misconstructions of the requirements of natural social law. Nor is the theory expounded in the text that of an *a priori* rational law (cf. St. Thomas Aquinas, *Summa Theologica*, I, ii, q. 95, 2: "Omnis lex humanitus posita in tantum habet de ratione legis, in quantum a lege naturae derivata"), or a dictate of moral sentiment (cf. H. Krabbe: *Modern Idea of the State*, *passim*), or an ideal law, according to what this or that group construes to be ideal (for comment, cf. Bentham: *Principes de la Législation*, Brussels, 1840, I, p. 46; also Blackstone: *Commentaries*, Introd., § ii). The doctrine of natural law maintained in the text is that of a formulation of the conditions of harmonious social relations, "natural" because these psychologically and sociologically determined relations are not artificial constructs or matters primarily of human choice, but *data*, things given. The relations are external to positive law, and this natural law holds true irrespective of what may be the usage in positive law. Positive law is an imperative (and possibly arbitrary) command as of an engineer-in-charge to his workpeople; sociological law is a dictate of reason as is a formula of mechanics to the mind of an engineer. Which conception of law is the original one is a matter of dispute—probably the latter (J. L. Myres: *Political Ideas of the Greeks*, 1927, pp. 278, 298)—but it will be recalled that for ages physical law was conceived of as an imperative (and possibly likely to play too important a part in the coming age for it to be helpful, on practical grounds, to attempt to discard the concept itself.

The arbiter, it should be pointed out, need not be superior to the disputants in every respect, but only in this respect, that his authority to act as arbiter is acknowledged and his right is admitted to call for support to enforce his arbitration.[1] Thus communities might take the civil organization as arbiter, Churches take a State, or States a Church *ratione peccati*, or nations take a

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arbitrary) command of the Almighty. In a brilliant article on this subject (to which I am indebted in this note) Professor John Dickinson, who rebuts the doctrine of a logical "higher law" within law, writes: "With the practical tenor of this theory" (of sociological law) "there can be no quarrel whatever. . . . It is advantageous to point out that if legal rules are to have the effect they are intended to have, they must be framed only after taking full account of the factual and non-juristic elements of the situation to which they are to be applied." . . . However, "when we say that sociological laws will prevent a legal rule, which disregards property rights, from 'working' . . . what we mean is that the effects will not be the ones desired or intended by those responsible for the enactment of the rule. The question is then remitted to an issue of desirability." ("The Law behind Law", *Columbia Law Review*, XXIX, Nos. 1, 3, 1929. Cf. M. Cohen: "Process of Judicial Legislation", *American Law Review*, 1914, p. 161; also R. Saleilles: *Revue trimestrielle de droit civil*, I, 1902, p. 97: "Si, en effet, l'évolution du droit se fait, avant tout, sous l'influence des lois économiques et sociales, il en résulte, tout d'abord, que certaines modifications de l'état juridique sont, historiquement, fatales, et, ensuite, que, pour chacune d'elles, il y a cependant une forme du juste qui puisse et qui doive s'y adapter.") It must be freely conceded that political science is not yet sufficiently mature to formulate natural sociological rules of consequences, which will indicate in most instances the effects of court decisions, and that, even if it had, the Bench would still have to decide whether it would accept or avoid these consequences. Professor Dickinson, however, perhaps scarcely lays sufficient emphasis upon the importance, for the effectiveness of positive law, of research into, and systematization of, the factual and non-juristic elements—those relations in the political structure which are not a side-issue, but substantial to successful law, conventions, and political institutions. We can say of the law what Plato said of the *polis*: "Then, I said, let us begin and create a State; and yet the true creator is necessity, who is the mother of our invention" (*Republic*, II).

[1] Cf. the position (*Social Theory*, p. 101) of Mr. Cole, who does not deny the need of an arbiter, but has objections to the Consumers' organization, called "the State", being that body.

League of Nations' organization, without admitting that this arbiter had a morally superior claim for all causes, or was, in the moral benefits which it could confer upon the individuals, a richer social body. The "mechanical organization" may be sovereign; the "community organizations" may be superior in terms of benefits conferred. A judiciary, again, might be acknowledged to be arbiter by organizations far more physically powerful than it. Sovereignty, then, ultimately means only final authority to arbitrate, so that a situation does not arise wherein "the private sword has place again". Such power *de facto* as the arbiter has rests on wills. It hence reposes on a claim which it is presumed will be responded to, and thus it is sustained by being recognized as power *de jure*—power which has a claim on all who desire the maintenance of the existing constitutional morality. This claim for support will, that is, only be accorded in terms of what is recognized as constitutional in a given social order. Sovereignty may be unlimited, but only for the function of arbitration (or for other and much broader, but still specific functions ultimately derivative from the right to arbitrate in case of dispute). Who, however, shall decide whether a particular question is one to be decided by the exercise of this sovereign function or not? To this the practical answer must be that it is the agreed social order which determines the function of institutions in that social order. Now the claims of sovereignty repose on the assumption of the recognition of this social order and its relations: sovereignty is a function of a given social morality or rather a quality of an institution executive of its conventions. Sovereignty is finality in terms of a given social order—that is to say, in terms of a given system of social equilibrium of power. If, therefore, the social order itself, in the value it places upon various institutions, is brought into question, the bases of sovereignty are removed, and we turn from the balanced conventional order, in terms of which sovereignty is a tenable concept, to the wills which compose the balance of that social order—namely, to public opinion—to the opinion of the dominant part among those thus brought into constitutional difference and collision, and to the autonomous cooperation of particular individuals. The chemical compound has been dissolved; the formula no longer describes what is left; and the constituent atoms must be left to find again a fit chemical composition and equilibrium.[1]

In this revolutionary or transitional situation, every man may discover for himself some *ultimate* authority, whose command is for him ethically imperative, but there will be no *sovereign* authority. For sovereignty, as has been said, is a quality of a particular institution functioning in a given established order of conventions. Thus the legal doctrine of sovereignty appears to be sound as locating the agreed constitutional authority to enforce in the last resort commands against disputants, in a society which proposes to remain one group, whether these disputants be themselves groups or individuals. It is the quality of the power behind the judge who is the voice of the law. The doctrine is, moreover, sound over a broader field than that of domestic law. It determines where arbitral authority resides between States according to the conventions of a particular age, whether in the authoritative institutions of the *res publica Christiana*, or in some other international authority. In the alternative, where there is no international society having a common constitutional (i.e., system-upholding)

[1] The doctrine of the sovereign as supreme arbiter of disputes within the frame of a constitutional morality, which gives the warrant of public consent and force to the decrees of the sovereign, stands in much the same relation to Buchanan's doctrine that the princely authority should be exercised in accordance with the popular conception of justice expressed in the common law (*De Jure Regni apud Scotos*) as the modern Austinian doctrine of sovereignty does to Hobbes's theory.

morality,[1] there may be no sovereign, in case of dispute, and the baron is effectively sovereign in his barony, or the national State within its frontiers. This, as Hobbes pointed out in another connection, is anarchy.[2]

Since the doctrine of sovereignty traditionally reposes upon a conventional basis in acceptance of the social order, every effort has naturally been made to emphasize educationally the moral authority which it derives from this order and the moral absoluteness of the order. The monstrous effects are pointed out of challenging this authority, obedience to which is as important as peace and security in life, liberty, and property are precious. Hence a wavering is noticeable in political and juristic theory between the statement that the sovereign is all powerful (under the social order) and must be obeyed,[3] and that the sovereign ought to be all powerful (because the order is good), and it is a moral duty to obey it. In this, as in many other cases where strong emotional and moral issues are involved, principles have been expounded rather with vigour than with consistency.

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[1] Where such an international constitutional order is recognized we can get the acceptance of the primacy of international law over the legal order of the States which Hans Kelsen (*Das Problem der Souveränität und die Theorie des Völkerrechts*, 1920) postulates as a necessary hypothesis of sound jurisprudence.

[2] Cf. G. Lowes Dickinson: *The International Anarchy*.

[3] Ulpian in *Digest*, I, 4; Bodin: *de Rep*. i, section 8; Hobbes: *Leviathan* ch. xvii, and in the striking phrase: "If two men ride upon a horse, one must ride in front"; Austin: *Jurisprudence*, ch. vi; Blackstone: *Commentaries*, I, p. 48: "A supreme, irresistible, uncontrollable authority, in which the *iura summa imperii*, or rights of sovereignty, reside"; Paley: *Moral and Political Philosophy*, VI, section vi: the sovereign "may be termed absolute, omnipotent, uncontrollable, arbitrary, despotic, and is alike so in all countries". Asserted as a parliamentary power by Sir Thomas Smith ("All that ever the people of Rome might do . . . the same may be done by the Parliament of England, which representeth and hath the power of the whole realm, both the head and the body"), Blackstone, and de Lolme ("It is a fundamental truth with English lawyers that Parliament can do everything but make a woman man and a man woman"), sovereignty is reasserted for the people by Rousseau (cf. comment by Duguit: *Traité de Droit constitutionnel*, I, p. 483)—a sovereignty, in the terms of the French Constitution of 1791, "one and indivisible, inalienable and imprescribable". This is now accepted doctrine (cf. E. Barker: *Political Quarterly*, V, 1914, p. 140: "the public of England is the sovereign of England"; Belgian Constitution: "All power emanates from the people"; Weimar Constitution, § 1: "The supreme power proceeds from the people"), nevertheless sovereignty inheres rather in the State-Person than in the State-as-Citizens. But cf., on Parliamentary sovereignty, McIlwain: *High Court of Parliament*, p. xv, quoted by Pollard: *Evolution of Parliament*). Cf.

When, as during the rise of the New Monarchies, the needs of civilization demanded a unification of power within the various realms, the doctrine of sovereignty as an absolute and irrevocable convention, involving passive obedience, grew up against resistant or rebellious elements which emphasized the relative principle of balance, contract, and "good of the governed".[1] When the needs

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also Seydel: *Grundzüge einer Allgemeine Staatslehre*, 1873, p. 14 ("It is an undoubted truth that there is no right without sovereignty, above sovereignty, or co-equal with it. Sovereignty makes law"); Burgess: *Political Science and Comparative Constitutional Law*, ed. 1896, I, p. 52: (Sovereignty is an "original, absolute, universal, and unlimited power of the State over any subject or group of subjects"); Holland: *Jurisprudence*, 2nd ed., p. 367 ("The sovereign part of the State, as thus ascertained, is omnipotent. Since it is the source of all law, its Acts can never be illegal. As little can they be, strictly speaking, unconstitutional.") The comment on all this—if more is meant than that the sovereign is omnipotent and absolute in law because the law says that the sovereign is omnipotent and absolute (A. V. Dicey: *Law of the Constitution*, 1908, p. 70; James Bryce: *Studies in History and Jurisprudence*, 1901, p. 502)—is that "sovereignty is a question of power, and no human power is unlimited" (Holmes, J. in 257 *U.S.* 432, "*Western Maid*"). But it may be recognized that the Government, as an authority on behalf of the civil organization called a State, should have very great power for certain ends, and it is in fact usually endowed by the moral will and actual energy of the members of the State organization with this power. The "real rulers of a people" are its actual educators, those who can sway effective support in that society.

[1] The classic statement of this theory by Bodin and Hobbes was opposed merely by identifying the sovereign with the executive and then subordinating the executive to a body of customs or "laws" of which judges and magistrates, or nobility and gentry were to be interpreters. "Kings may go and shake their ears if laws must be observed" (*Vindiciae*, ed. 1925, p. 197). The sound basis for this doctrine, *pace* Huguenots and other Protestants, is in that of a rational custom or "natural law" (such that if the King acted against it, it was he who was tyrannous and "seditious". Cf. Thomas Aquinas: *Summa Theologica*, II, ii, q. 42, a. 2, n. 3), interpreted by the Papacy as arbiter in morals. But such a basis comes back to a theory of papal sovereignty ("infallibility"). Natural law either requires an international sovereign interpreter or is scientific law apprehended by the impartial enquirer into the social facts.

of civilization made no such demand, the desirability of an absolute sovereign over groups was not felt, and the facts took shapes almost impossible to reconcile with such theories.[1] The truth would seem to be that the moral claims of the sovereign can rise no higher than their source, and that this is the moral value of security and of the security of the particular social order—a value which is exceedingly high, but is still not absolute, even for a social order which included the goods of religion, or of the intimate life of a *polis*, among what had to be maintained by sovereign power.[1] Thus the value of the European social order, and of the security and peace of it, is still generally held to be of less value than national honour, just as the majesty of the courts and of the civil peace was held a few centuries ago to be of less value than family or personal honour where a feud or duel was involved, and as the supreme and unique value of the Roman order was denied by the early Christian. Sovereignty asserted on behalf of such a European order would be denied. The national sovereign is not conventionally recognized as an authoritative arbiter in purely religious disputes, so long as they remain such, or in international disputes; but it is recognized as an arbiter in all other disputes, including that between individual and nation, as, for example, whether the individual shall support the nation in war. We still live in the Nation-State civilization, and our conventions and our concept of sovereignty, as absolute within those boundaries, but absent outside them, are appropriate to that civilization. That an arbiter will ever arise in the shape of a unitary world empire seems dubious; that an arbitral institution may arise which will function on behalf of a world confederation and which will be conventionally recognized as entitled to intervene in "matters affecting the peace of the world", is possible.

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[1] Thus, despite the attempts of John Austin (*Jurisprudence*, ed. Jethro V. Brown, p. 146) to locate the legal sovereign in the United States, it is very questionable whether he succeeded in his attempt to discover a precise sovereign in those having power to amend the Constitution (Elihu Root in *R.I.* v. *Palmer*, 253 *U.S.*, pp. 361–4). The contentions of those who have followed the tradition of Patrick Henry (*vide* Elliot: *Debates on the Constitution : Virginia*) in favour of the sovereignty of the States, coupled with the considerations pointed out by Samuel Adams on the vastness, even in his day, of the Federation, have served to impede in America the development of a practice which could be squared with any precise legal doctrine of sovereignty. (Cf. H. A. Smith: *Federalism in North America*, 1923, pp. 210–11: "the people of the U.S. are a *greater* sovereignty than are the people of any particular State". Also Wilson J. in *Chisholm v. Georgia*, 2 *Dall.* 454: "to the constitution of the United States, the term Sovereign is unknown", and comment by E. Borchard: "Government Responsibility in Tort", *Yale Law Journal*, XXXVI, p. 43.) As to the League of Nations, the orthodox doctrine (British Note, A. 20. 1927, V; June 24, 1927) is that it is "an Assembly of sovereign States", without any office indiscriminately to accept new tasks, which States have admitted (cf. Jellinek: *Allgemeine Staatslehre*, 1921, p. 367; H. Kelsen: *Der soziologische und der juristische Staatsbegriff*, 1922, pp. 132 ff. *contra*) "a self-imposed limitation by the conquerors on the sovereignty which they obtained over conquered nations" (Lord Balfour, May 17, 1922, before the League Council). As touching whether sovereignty over mandated territories resides in the League or in the mandatory power, it has been startlingly enough alleged that the doctrine of sovereignty has, in these cases, no meaning (rather than admit that it inheres in the League much as, in mediaeval France, it inhered in the successors of Hugh Capet). "The time-honoured phraseology . . . is perhaps sometimes inappropriate" (*Council Report on Work of Mandates Commission*, September 8, 1927). Notoriously, the same difficulty of determining the location of sovereignty arises in the British Commonwealth. It is noteworthy that a strict doctrine of sovereignty led to the Thirteen Colonies being advised that, if they wished to place themselves in a juridically correct position for the settlement of their dispute with the Mother Country, they would be well advised to declare their independence (T. Paine: *Common Sense*, ed. Conway, 1894,

Sovereignty is, then, the authority of an arbiter among groups or individuals, conventionally recognized in a

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p. 110). Hans Kelsen (*Das Problem der Souveränität und die Theorie des Völkerrechts*, 1920, p. 204) maintains that, on the basis of abstract legal theory (and thus in opposition to W. W. Willoughby's thesis of the consequences of abstract self-consistent theory), international law is only consistently explicable upon the hypothesis of a world legal order—a world constitutional morality as a basis of an international reign of law—and on the assumption that this international law is accorded precedence over the legal order of the State. Cf. J. Mattern: *Concepts of State, Sovereignty and International Law*, 1928, p. 121.

[1] H. J. Laski: *Grammar of Politics*, p. 281.

certain social order[1] to be an authority for the maintenance of that order, in all causes contemplated by the convention.[2] If the civil authority or Government

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[1] K. C. Hsiao: *Political Pluralism*, p. 144: "Very few of us to-day can sympathize with the Austinian method of analysis; it easily tempts us to regard legal sovereignty as somehow above and independent of the concrete social process." Also "the theory of sovereignty, valuable as it is, possesses no substantial meaning if it is completely isolated from the principles which underly the social process in general". Professor W. Y. Elliott has excellently said: "There is, wherever the organization of a people under law has achieved Statehood, an habitual although not an absolute constitutional morality. That morality may be described as the active recognition of a community of purpose in the enforcement of law which is in its turn the necessary presupposition of ordered human intercourse."

[2] Sovereignty is an expression of *force* (cf. remark by Lord Balfour, *supra*), although the sovereign is not necessarily, as an institution, itself in possession of force; this the moral exponents of sovereignty endeavour to gloss over. But *internal* sovereignty is *recognized* force (which the ultra-realists tend to forget) acknowledged by an effective proportion of a given society as an authority which ought to be submitted to by all in those cases where reliance on sentimental cooperation is not (as in the case of the family) adequate or is not felt to be alone expedient (as in the case of confederations). Its alternative is also either force ("La negation du droit de souveraineté n'a qu'un resultat bien clair, c'est d'affirmer le règne de la force"; Esmein: *Droit constitutionnel*, 1914, p. 42) or spontaneous cooperation built on good fortune or on Platonic like-mindedness. It is a force operating within a conventional system or, as Professor Elliott says, "willingness to make law in certain ways" in terms of which a society is maintained as united (cf. also Hsiao: *Political Pluralism*, 1927, p. 257), supplementing (in those heterogeneous societies in which a sovereign is necessary) a like-minded cooperation also acting within a conventional system. It is (legal tautology apart) absolute neither actually nor ethically, but it is of final authority relative to a given system both legally and ethically. For the limitation of the sovereign by convention and by the recognition of convention, *vide* H. J. Laski: *Authority in the Modern State* (1917), *Problem of Sovereignty* (1919), *Grammar of Politics* (1925), ch. ii, etc. and p. 435 n. 1, *supra*. The doctrine of *external* sovereignty ("a sovereign Government is one which ought not to receive command from an external source"; cf. Vattel: *Droit des Gens*, preface, in support of this definition of Von Martens; also J. Austin's famous recension, in *Jurisprudence*, ch. vi, of Blackstone's definition of the sovereign) is a doctrine of natural rights of States, as opposed to the doctrine that no individual is a whole, but only a part of a whole, attaining moral significance in a whole, and is open to the same defences and objections as are most natural right doctrines (but cf. Aristotle: *Politics*, on the self-ruling and self-sufficient municipality; and Fichte: *Der geschlossene Handelstaat*).

(national or imperial) is recognized as sovereign, then it, as any other (e.g. papal [1]) sovereign, is liable to interpret that convention in such a way as to enable itself to settle all disputes besides those, e.g., directly affecting security. Hence there is a tendency both to the unitary and to the international organization as a method of settling all justiciable disputes, and of establishing a universal reign of law comparable to that of Rome. The "extensive" sovereign authority, however, or "arbitral authority recognized as having a right to the power of support", like any other authority, such as the "intensive" communal authority or authority of lesser groups, is to be understood and judged in the light of its efficient performance of its function of maintaining an harmonious political order in which actual human wills are, by education or other forces, reconciled.

The Basis of Legislation. The two major errors of the doctrine of sovereignty as generally expounded have been due to the theory that the community could only find complete organic expression in the sovereign organization,[2] and to the theory of law as a free command of the sovereign—*jus est quod jussum est.* Without accepting the view of Dr. Krabbe that the law is the expression, in a single rule, of a common moral sentiment of what is right dictating a natural law—the imperative of a subjective *Rechtsgefühl* in the mind of every man,[1] the law, it must be asserted, is something less arbitrary than a command of the sovereign will of prince or people. A law cannot be considered out of relation to its prospects of being enforced, and enforcement depends upon such a balance of forces as renders its enforcement feasible and useful as an expression of the sovereign will. The sovereign will is not feasibly or usefully enforced by such measures as disrupt the established social system, of which sovereignty is a function, or reduce security, or defeat the object they have in view, or are in defiance of well-known conventions without any preponderant advantage. The object of the law must always be supposed to be to promote social security and facilities according to the will of the dominant part of society.[2]

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[1] J. Selden: *Table Talk, Works*, III, section 2055: "The Pope is infallible, where he hath power to command—that is, where he must be obeyed—as is every supreme power and prince."

[2] This assumption, not only explicit as in the Hegelian school, but tacit, runs through much of the history of political theory since the breakdown of the churchly theory in the fifteenth and sixteenth centuries. Instances can be chosen at random in current literature. *Vide*, e.g., W. McKechnie: *The Individual and the State*, 1896, p. 81: "Man—even barbarous man—is essentially a member of society, and society is necessarily a State." It will be found even in writings which superficially appear to emphasize the group nature of society, e.g., Fouillée: *La science sociale contemporaine*, p. 13 ("Imagine a great circle within which are lesser circles combined in a thousand ways to form the most varied figures without overstepping the limits that enclose them; this is an image of the great association of the State and of the particular associations that it embraces.") The followers of Althusius have fallen into the same fallacy. By the "sovereign organization" is meant that organization, i.e. the State, of which the limits are defined by the field of competence of the sovereign authority or institution, e.g., the King-in-Parliament. What, in fact, are these limits, in the case of e.g., the British Empire, is a matter for nice legal quibble.

The will, in short, of any group or society or organization is not free. It attains its ends, even although they be those of the sovereign arbiter, just as the individual will attain its ends, through adjustment and conventions. In part it can create these conventions, but in part it is bound by those more set conventions which have become integral with the structure of the social system. Even in time of revolution only a certain number of adjustments of wills to wills are feasible and otherwise than obviously disastrous. The situation, the total of possible permutations and combinations of wills under the circumstances, dictates to the social will. The group will is only powerful within the limits of the laws of social structure. Successful execution of the social will is only to be attained by studying the facts of the situation, and by exploring what adjustments are possible.

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[1] H Krabbe: *The Modern Idea of the State*, 1915–22, esp. ch. iii. Cf. O. Gierke: *Das Deutsche Genossenschaftsrecht*, II, p. 32: "Während die griechische wie die römische Geschichte mit dem Staate beginnt, beginnt die germanische mit dem Recht."

[2] O. W. Holmes: *The Common Law*, 1881, p. 41: "The first requirement of a sound body of law is, that it should correspond with the actual feelings and demands of the community whether right or wrong." Cf. Wigmore: *Cases on Torts*, I, p. ix: "A rule of law is a rule of life. It is founded on the dogmas and experiences of life; and life's dogmas and experiences are recorded in a vastly wider library than the covers of law books comprise."

Law, then, as has already been pointed out, is a formula expressing a balance; the balance precedes the offence against convention, the formula succeeds it. Precise formulation of convention follows challenge. The balance itself depends upon the situation—that is the physical, biological, medical, economic, or other facts, and men's relation to those facts, and upon the relation of wills within the confines of that particular situation. Both situation and possible social relation of wills, both social facts and "opinion", or the distribution of support, are determinant of the balance. Law, then, does not depend solely upon opinion, but also on the facts of the social structure. Positive laws depend for their success upon more fundamental laws—upon "natural laws", the laws of human nature, and of harmonious social organization.[1]

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[1] The classical Greek theory (Aristotle: *Politics*, III, § 16: "To bid the law rule is to bid God and Reason rule"; Thucydides: *History*, III, § 37) that laws ought to rule rather than men meant the rule by custom and tradition, but by a rational tradition consonant with the laws of nature, whether of the nature of the universe or of human nature. The same view is well stated, despite its archaic language, by de Bonald (*Législation primitive, Disc. prélim.* 1857, p. 41): "Le pouvoir est légitime, non dans ce sens que l'homme qui l'exerce y soit nommé par un ordre visiblement émané de la divinité, mais parce qu'il est constitué sur les lois naturelles et fondamentelles de l'ordre social, dont Dieu est l'auteur, lois contre lesquelles tout ce qu'on fait, dit Bossuet, est nul de soi, et auxquelles en cas d'infraction l'homme est ramené par la force irresistible des événements." "Natural law" in modern terms will spell "the laws of social science" or "the laws of social organization formulated by political science". Cf. Professor M. R. Cohen: "Jus Naturale Redivivum", *Philosophical Review*, XXV, p. 761, and Saleilles: "École historique et droit naturel", *Revue Trimestrielle de droit civil*, 1902, I; also *Modern French Legal Philosophy*, p. 106 ff. It will be observed that the view taken in the text of natural law follows rather that of Duguit and the objective school than that of the subjective school—that of Charmont and of Krabbe derived from Savigny through Puchta.

And in so far as law depends upon opinion, it depends upon a relative balance of wills, on a fluctuating system of exchange in the political market. Laws are "political goods" for which the demand varies, and the conditions of production. In no sense is law the mere sudden expression of a final sovereign will or public conscience. This notion of the ultimate sovereign will (like the free will of Richard Roe) or an ultimate and unimpugnable public conscience, to fulfil the mandate of which is the sole duty of the legislator, is a relic of the exploded natural-rights theory—it is the doctrine of "the natural rights of States". Positive law-making is an empirical, not a categorical, process.

The practical consequences of this conclusion are extensive. If law is to be regarded as a function of supply, and dependent upon the relation of supply and demand, the conceptions of the legislator must come to acquire a new elasticity, not the elasticity of a vague contempt for precision or for permanence or for specific sources of authority, but the elasticity of the method of the physician who has to adapt his knowledge of the constants of physiology and the experience of the medical art to his examination of the particular constitution and disease. Two great tasks confront the legislator, the task of informing himself on the situation and the task of formulating the best remedy in the shape of an adjustment (by penalties and facilities) consistent with the balance of public opinion.

As touching the former task, neither the Civil Service as administrators nor chambers of legislators have concerned themselves much with *the organization of research into social facts*.[1] The occasional commission of specialized experts, or the public hearing of partisan witnesses, has been considered adequate. The technique of accurate and impartial social investigation is a difficult one, and hitherto it has been dispensed with in favour of lay "common-sense" judgments on the superficial evidence—a course as nonsensical as a "lay judgment" on an engineering or a medical problem.[1] There has been an ingenuous confidence in the suitability of the amateur for any post in which political or social—although not industrial—decisions had to be taken: *il fallait un calculateur, ce fut un danseur qui l'obtint.*

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[1] At present the public is left with a choice between trusting to a Parliament of magnicompetent amateurs and trusting to the Civil Service. Concerning the latter, a British civil servant is quoted (L. D. White: *Public Administration*, p. 475) as remarking that "we are the ultimate repositories of a dark science, and it is a brave or well-instructed man

As touching the latter task (of formulating "the best remedy relative to the constitution in question"), an ability to sense what public opinion is patient of has adequately been recognized as one of the qualifications of the successful politician. But no study has hitherto been undertaken consistently of what type of measures have usually met with strong public support and from whom, what measures with indifference, and what measures with outbursts of law-breaking, and among what specific groups of society. If we are to study the fluctuations of the market so as to make a prognosis about measures, we are well advised to study the lists of political prices—that is, the records of voting support, area by area and, as far as may be, issue by issue.

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who will challenge our oracles without a foreboding of disappointments to come". Such a situation is indubitably dangerous. The corrective lies in reliable knowledge being available in other than official circles. But it also lies in attention in official circles to social research of a more detached variety than any which is part of the professional business of an administrator. There is a need for expert bureaux of social and political information.

[1] Actually, however, our entire system of moral censorship of literature through the courts does precisely involve the passing of lay and amateur judgments of lawyers, untrained in this respect, on technical questions of medicine and psychology, in which matters it is considered unnecessary to call expert evidence or to seek the opinion of responsible and impartial expert bodies. Perhaps one reason for this may be that these bodies, in many countries, do not exist—technical knowledge has not yet been harnessed to the work of Government and such subjects as psychology are regarded as but branches (rather suspect) of metaphysics.

To this must be added the study of the statistics of breaches of duty and the overt refusal of support in the labour of maintaining conventions—the statistics of criminal and civil offences. Adequate analytical treatment of these political figures might show what was wanted by groups in a society and what they did not want, which groups wanted or disliked what, and perhaps indicate to us why the members of society demanded this or that convention or resisted it.[1] A study is needed of how far law is adapted to meet social needs with the minimum of clumsiness, and of how far, in disregard of psychological, criminological, and social facts, it is promulgated in the general hope that it will prove of use somewhere, or that it may give moral satisfaction to the consciences of legislators who are interested at least in vindicating their own sentiments by placing a new law on the statute book.

In the age in which we live, clumsy hit-or-miss methods are no less inexcusable in administrative methods and social organization than in the mechanism of industry. Repugnance to rationalization,[2] although less generally recognized as ludicrous, is not, therefore, less disastrous —it is far more so—in the former case than in the latter. The test of the social organization of a civilization is thus far like that of a locomotive, that what matters is not whether it usually runs on the lines, but that it never runs off them. And this involves intelligent and informed control.[1] A writer, himself not without large administrative experience, has said, "Unless man's capability to handle the enormous civilization he has created is increased, the organization is likely to annihilate him." Nor is reliance upon the old principles of psychology and social organization in this age any more adequate than would reliance upon the industrial principles of the age of the bullock-cart be suitable in the age of the aeroplane. As has been happily said, there is definite danger in having the wagoner, however picturesque a figure he may be, upon the foot-plate of the express engine of modern civilization.[2] As the same writer

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[1] O. W. Holmes: *Collected Legal Papers*, 1920, p. 187: "For the rational study of law, the black-letter man may be the man for the present; but the man of the future is the man of statistics, the master of economics." Cf. the remark of the Master of Balliol ("The State in Recent Political Theory", *Political Quarterly*, I, 1914, p. 145), that what is required is "above all, knowledge on the part of all who govern or help to govern of all the bewildering details of the situation with which we are confronted and of the effects of interference with that situation". Also Roscoe Pound: *The Spirit of the Common Law*, 1921, p. 212: "The jurists of to-day seek to enable and to compel law-making, and also the interpretation and application of legal rules, to take more account and more intelligent account of the social facts upon which law must proceed and to which it is to be applied."

[2] The word "rationalization", although open to obvious objections, seems to me to have philosophic value as summing up all movements which imply that human social and political activities can be systematically organized in accordance with the test of efficiency for fulfilling recognized social aims, instead of being carried on solely in accordance with the habits men happen to have formed (in some cases called their "national character") of doing things. Cf. Clark Wissler: *Man and Culture*, pp. 326–7:

"If one looks closely into the career of culture, it will be apparent that the chief difference between us and the more primitive groups lies in the degree of rationalization we assume towards the functions of group life."

[1] "The fact surely is that we have so little attempted the conscious control of social organization that we have hardly sought to inquire into the principles it involves" (H. J. Laski: *Grammar of Politics*, p. 109). "The difficulty, however, rests, not with control itself when conscientiously administered, but with an inadequate social science" (L. L. Bernard: *The Transition to an Objective Standard of Social Control*, University of Chicago, 1911, pp. 94–5). Long ago Cicero declared that the highest achievement of political wisdom was to perceive the tortuous path followed by public affairs in order than one might know the tendency of each change and be able to retard the movement or forestall it, but although Cicero speaks of a "rerum civilium scientiam" (*De Rep.*, I, ch. vi), his preoccupation is yet rather with "eas artes quae efficiant ut usui civitati simus" (*ibid.*, I, ch. xx).

[2] W. Trotter: *Instincts of the Herd in Peace and War*, 1916, p. 55. There is no reason to suppose that we enjoy some particular safeguard against folly which our ancestors did not possess. And yet it is only a century ago that the courts were enforcing the principle of deodand and of the liability of inanimate objects. It is said that even a steam-engine has been confiscated as deodand ("vowed to the vengeance of God"). Could we but stand outside ourselves we should probably detect that we were frequently guilty of no less absurdities. We are, after all, not so very far removed, in historical evolution, from the savage, and it

continues, "We need a new Renaissance, a thorough probing of values that we have always taken for granted." The new values will be apprehended, as in the days of the Renaissance, not by a scholastic re-synthesis of old suppositions, but by an enlargement of experience. What, indeed, will be altered will not be so much the ultimate values as the perspective in which we see those values, and the new means which we shall comprehend as possible for their realization.

Instrumental Government. Sound legislation is an administrative act, a managerial act. It is the reduction to conventional form of particular administrative remedies in the way of securities and facilities. Legislatures have not historically grown up as means of imposing the will of the nobility, or people, or their representatives, upon the will of the prince or administration, but to enable the administrator to estimate the market for legislation and administration in terms of the demands of the country. Legislation was in its early stages "by the King with the consent of Parliament". The administrator, whether as legislator or judge, sees before him the social universe of struggling atoms, each person or group requiring securities against, or facilities by the aid of, the other person or group. The administrator, however, is himself part of the balance, not only detached adjuster, but also adjusted. He is a party to the bargain being driven in the demand and supply of security. The representatives are there to check him, whether as executive, legislator, or judge. Democracy arises as a safeguard against his abuse of power—against too hard a bargain being driven. Democracy does not arise to govern, to provide the goods of government, but only to demand fair rights in return for the duties of labouring to main-

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would be surprising indeed if there were uniquely in our age no relics of savagery about. The citations in the text are taken from a speech by Mr. Raymond Fosdick.

tain law and of labouring under the restrictions of law which fall on all citizens and subjects. The rival claims indicate what law is required in the interests of stability, and the balance possible between the claims determines what law is possible. But the legislator has the task of formulating this law and of thereby equilibrating the balancing groups, of conventionalizing and stabilizing the balance between men, their fellows, and their environment.

Neither State nor Church, Trade Union nor Constitution is something to be honoured by a species of juju worship such as abases the mind of man. None of these institutions is a car of Juggernaut, hauled by generation after generation according to unalterable tradition since the days of the primitive stupidity of the race. We need to recall the words of Jefferson: "Some men look at constitutions with sanctimonious reverence, and deem them, like the ark of the covenant, too sacred to be touched. They ascribe to the men of the preceding age a wisdom more than human, and suppose what they did to be beyond amendment. I know that age well; I belonged to it and laboured with it. It deserved well of its country. It was very like the present, but without experience of the present . . . laws and constitutions must go hand in hand with the progress of the human mind."[1] Institutions such as State government or Church government, conventions ranging from the constitutional laws of States or the marriage laws to the rules regulating the election of judges or regulating public utilities are to be regarded solely as instruments or organs subservient to the political end of promoting social health. No group or institution is the instrument of individuals, but of a balance of individuals. It performs its function subject, as Burke said, to "a compact between the living, the dead, and the unborn", a trust in which, however, the living must shoulder responsibility as executors. These great political institutions are "natural" organs—not "made from a receipt" or a doctrinaire's formula—but they are subservient organs. In a differently balanced social system they might assume with advantage a different form or no longer be required.[1] They are not

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[1] Cf. J. Bentham: *Anarchical Fallacies, passim.*

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[1] It is interesting to compare at the present time the attention given by the States of Western civilization to guaranteeing their subjects against each other's ravages with the attention given to the functions of promoting the education and health of their members. Immediately before 1914—Germany apart—Great Britain, France, and the U.S.A. were spending between 34 and 38 per cent. of their national budgets for military purposes; Italy, Japan, and Sweden between 25 and 30 per cent. (Sir Josiah Stamp: *Current Problems in Finance and Government*, pp. 96–7). Professor Noel Baker supplies the following figures (in pounds sterling), calculated on statistics given in *The League of Nations Armaments Year Book*, 1925–26:

	1913–14	1924–25	1924–25 (reduced to pre-War price-level).
Great Britain ..	72,436,000	123,182,000 (estimates)	79,500,999
France	68,941,000	57,775,000 (approximately)	47,200,000
U.S.A.	61,812,000	121,100,000 (revised estimates)	78,100,000
Japan	19,358,000	44,900,000 (estimates)	21,700,000

Mr. J. L. Garvin (*Observer*, July 28, 1929) has restated this in a more striking fashion: "Britain is spending £200 a minute on armaments as against about 2s. 6d. for peace, apart from the other purposes of the League." To say this is to minimize the fact that expenditure on the Foreign Offices of States is, of course, to be presumed to be expenditure for the ends of peace.

Professor Pigou estimates that the cost of the Army and Navy to the British people was in 1913 somewhere between 3 and 4 per cent. of their "national dividend"—that is to say, "the equivalent of about a fortnight's work of the brain workers and mechanical equipment of the country every year" (A. C. Pigou: *Political Economy of War*, p. 7). In view of the situation with Germany, it cannot be said that this expenditure, under the Nation-State system of the organization of civilization, was excessive, since the first object of every State must be the conservation of existing advantages. It is only when the social intelligence and energy are such as to enable the cruder risks of barbarism to be removed that it is possible to be treated with emotion or in terms of praise or blame, but merely judged by the question whether the function they fulfil is one which is required; and they are to be strengthened or weakened according to these requirements of the times. No danger is graver than that of subordinating the ends of civilization, which are human happiness and the development of the nobility of the human spirit, to the mere instruments and institutions of civilization which, once divorced from their justifying purpose, are not things sacred, but what Hezekiah called

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to advance to the task of developing civilization. It is not, however, observed that any country expends even 1 per cent. of its national dividend upon instituting at its Foreign Offie a "General Staff for Peace" —it is assumed that peace need not be organized for and can be had "on the cheap".

Sir Josiah Stamp, working on post-war figures, "estimates that the cost of armaments to-day, taking an average of the nations with big fleets and armies, is not 3 to 4 per cent., but more nearly 8 per cent. of the national dividend, or the equivalent of . . . a month's work every year of all the producers and plant of those nations". (*Vide* Noel Baker: *Disarmament*, 1926, p. 9). The technical nature of some of these armaments shows that they are not intended for defence in the naïve sense, but rather "for the defence of national interests". As it has been forcibly expressed by a Conservative journalist to the writer: "Anybody who says that armaments of this kind are for defence" (of home shores) "must be either a fool or a liar."

The expenditure on education of Great Britain for 1924–25, out of Parliamentary vote, was £46,500,000, and in France approximately £19,000,000. Sir George Newman, in his report for 1926 on "The Health of the School Child", writes: "Why is it that half a million children in our elementary schools" (out of a five and a half million average attendance for Great Britain) "are dull and backward and half a million others need medical advice before they can gain reasonable benefit from the education which the State provides?" The comment of Mr. H. G. Wells is relevant: "A world Government will not be a combative Government; there will be nothing to combat. The world republic will be fighting nothing but time and space and death" (*World of William Clissold*, ed. Doran, II, p. 567).

As Professor MacIver (*The Modern State*, p. 192) points out, many States have no Ministry of Health, but all have a Ministry for War. In Great Britain in 1927–8 the State expenditure on scientific and industrial research was £451,951. Cf. the bitter remark of Kant ("Natural Principle of the Political Order," in Hastie's *Kant's Principles of Politics*, pp. 23–4): "Thus although our rulers at present have no money to spend on public educational institutions, or in general on all that concerns the highest good of the world—because all their resources are already placed to the account of the next war—yet", etc.

Nehushtan, unintelligent idols ready for destruction. Such a perversion, however, of the more elusive ends for the convenience of the more tangible means is a natural consequence of that mental and moral inertia which is human stupidity and human timidity. Governmental institutions, like machinery, must be periodically overhauled with a view to deciding whether their utility is such as to warrant their continued use unchanged. The national sovereign State itself is such an institutional instrument, and its claim to public respect is no greater than may be warranted by its observable contribution as an efficient means to human welfare and to political harmony and balance. Its sole claim must be that it provides, better than any equivalent institution, what men want. There is an ever-present danger of expending that human energy which should be exercised in promoting the objects of civilization, in an endeavour to render workable out-worn machinery of civilization, for which we retain a primitive attachment. The man is made the servant of his instrument and of his conventions.

The test of social health is actual contentment, or at least a vigorous constitution capable of remaining unaffected by local disorders. Educational sedatives, from the Platonic to the Fascist or Marxian myths, may be applied, so long as they in fact effect a cure instead of being merely narcotics or palliatives.[1] The preaching of a doctrine of social obligation[2] will healthfully encourage the enjoyment of duty, will produce in those who accept it the psychological satisfaction of feeling at one with the community, and will cure those neurotic diseases of dissatisfaction which may arise more from an irritant ideology than from any detectable maladjustments between men or groups. But to speak of "inculcating a respect for Authority" (in general) is as meaningless as to speak of "inculcating a respect for production" (in general). The question is whether the authority contributes to the good of the individual and of all his, as he understands this good, or at least facilitates his and their attainment of that good as far as is possible under the social circumstances.

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[1] We may rightly say in politics, with Antiphon the Sophist, "first of all things I place education". But we do well to bear in mind the complaint of Condorcet, especially when we are talking about the "need for social and moral education", "ces castes s'emparèrent de l'éducation, pour façonner l'homme à supporter plus patiemment des chaînes identifiées pour ainsi dire avec son existence, pour écarter de lui jusqu'à la possibilité du désir de les briser" (*Œuvres*, 1847, vi, p. 57).

[2] Perhaps the best exposition in English of the spirit of the Hegelian religion will be found in the chapter entitled "My Station and its Duties", by F. H. Bradley (*Ethical Studies*, 1876—the year seems worthy of remark).

The condition of social justice is that of social health, which is a condition of organic harmony of wills and of overt contentment. So long as men strive after the ideal, growing-pains will and should disturb this eupeptic condition of social equilibrium. To talk about "teaching men to believe in Liberty" is as vague as speaking of teaching men to "believe in Consumption" as such. But it is quite possible to educate men to a fuller appreciation of their needs and of their ideal requirements. Such requirements must, indeed, lead to discontent until the new demands can be satisfied by a readjustment of the political system. To this contentment the physician of the body politic must aim at bringing men back. He will to this end encourage this organ or that organ in the performance of its function. In the genesis of the social structure, the organs came into being in relation to the needs of the balance of the system, and, when they function properly, will maintain that balance of the constitutional elements. Thus institutions and conventions arise, to maintain or facilitate this or that social good; and whether they are in satisfactory condition or not must be judged by their performance of these functions.[1]

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[1] MacIver: *The Modern State*, ch. xvi, "The State as Organ of Community"; G. D. H. Cole: *Social Theory*, ch. v; R. de Maetzu: *Liberty, Authority, and Function.*

The pursuit of power for the execution of a myriad atomic wills interlacing in a solidary whole; the nice balance of duties and rights, securities and liberties on which the harmony of the whole depends; the conventions and institutions which minister to the vital needs of those wills and to the maintenance of this balance; the normal constitutional fluctuations—all these we have endeavoured to describe in this discussion of what (if the metaphor of Bryce and Lowell will not mislead) we may term "political physiology". Whatever individual or group aspires in fact to do is conditioned by the laws of this physiology. That is the basic principle of political science. What they do in particular and should aspire to do is not our concern, but that of the ethical philosopher and of the educationalist. The study, moreover, of particular institutions and of their adaptation to the functions required of them in the social systems of our age, and the study of the specific diseases of the body politic thanks to which human wills are left baulked and human needs unsatisfied, are matters of political anatomy and of political hygiene outside our present province.

The applications to particular instances of those principles of political supply and demand which we have here endeavoured to enunciate cannot be discussed here. It will be clear to the reader that such a phrase as Comte's "no rights, but only duties",[1] is equivalent to saying that men should labour for the joy of it without regard to wages, receiving what goods may be given them. To talk, on the other hand, with von Ihering about the moral duty to battle for one's rights,[2] or to say with

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[1] A. Comte: *Système de politique positive,* I, p. 361: "En d'autres termes, nul de possède plus d'autre droit que celui de toujours faire son devoir."

[2] R. von Ihering: *The Struggle for Law,* p. 29: "The struggle for his right is a duty of the person, whose rights have been violated, to himself."

Duguit that "liberty is not a right, but a duty",[1] has equivalent cogency to talking about the moral duty to battle for one's wages.

It will, further, be clear that, as different social groups become dominant in the support which they can give to a Government, the fashions and tastes in political goods will change, as they have changed from the nineteenth to the twentieth century. No Government will produce what a Government will get no support in producing. Political goods for which there is little demand tend to go out of production compared with what is popular and in demand. If half the task of politics consists in that sound social engineering, in accordance with the *permanent* facts of the situation and with the laws of psychology and political science, which engineering alone can result in the production of a more satisfactory and less unjust organization of civilization, certainly half the task of politics lies in the *immediate* mustering of opinion by propaganda. This propaganda reaches its noblest expression in the rousing of the opinion of men against injustice and its evil triumvirate of sponsors, cruelty, fear, and stupidity.

It will, again, be clear that there can be no "eternal peace", domestic or international, but a continual fluctuation, more or less well regulated, of political power. Governments, under pressure from their supporters, or for the profits of power, tend to increase government until there is an over-production of securities and facilities, and an irksome restriction upon the liberty of individual wills. Liberty becomes of enhanced value, first to those groups who are not directing policy, then even to those which are, and a period of individualism and *laissez-faire* supervenes. Support fails for measures once highly in demand. Governments fall; other organizations even are called in to supply those political goods once exclusively looked for from the organization, be it papal Church or national State, now in disfavour. If, however, these new Governments or organizations fail to respond adequately to the demand, slowly the old securities acquire scarcity value and demand is set up again, until equilibrium is, for the while, achieved. Their products have again marginal utility. It is in the light of the recognition of principles such as these that the problems must be approached of how to check those who engross power without rendering a just return in the goods of government, and of how to correct those who claim rights without performing their measure of social duties.

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[1] L. Duguit: *Souveraineté et Liberté*, p. 141: "La liberté n'est plus un droit, elle est un devoir."

"Before the sea of human opinion", wrote Sainte-Beuve, "as on the shore of the ocean, I admire the ebb and flow. Who shall discover its law?" The law, however, of the tides is known, and their movements are measured and forecast. The flood of human support in favour of this political measure or that is also controlled by its moon—by the constant pull of the moon of desire for power to fulfil human wishes. Support and opposition flow, not according to wish, but according to what will give power to fulfil wishes so far as is possible in a social system which, for the individual, is preestablished.[1] From the pursuit of power thus understood, and from the adjustments involved, thanks to the fact of a social order, springs, it is suggested, all political science. Law, which can be made the particular application of sound political principles, has as its aim to render thus consistent the development of each and the development of all.

A new attitude to law is then necessary. By it law becomes, not essentially of the nature of command,[1] but an endeavour to approximate to the social law which formulates natural adjustments.[2] Only examination of the simplest instances will show us what are natural adjustments and what are those conventional adjustments which, as has been found too sadly frequent with the classical economists in the economic field,[3] are easily mistaken for what is natural and elementary. Thus the task of the legislator is not primarily that of dictation supported by sovereign authority. Rather it is that of study of the social facts; of diagnosis in accordance with what we know by observation and research; of comprehension of the rules whereby social life works harmoniously; and of prescription. The prescription should not be merely in accordance with some *a priori* formula or by way of arbitrary command, but should be in accordance with the specific requirements of the social disease and the general principles which our science indicates as the road to practical success. The discovery of political laws has thus the practical significance of giving us a better understanding of the task of positive law and legislation.

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[1] B. Bosanquet: *Philosophical Theory of the State*, ed. 1920, p. xiii: "Here is the point of Spinoza's well-known doctrine that men's natural appetites and passions are not to be censured, but to be studied. For these passions form both the necessity of the State and its condition."

Law or regulation is the method by which the sovereign physician or engineer is able to effect his professional ends. It must be modelled, as Plato asserted, on the analogy, not of military, but of medical orders. As has been admirably said,[1] "Public administration should be part of social hygiene, but at present social hygiene is not even a part of public administration."

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[1] Emphasis is laid by Aquinas on the necessity of a promulgating authority as such, thus far cautiously introducing into natural law the imperative element in the later civil law (*Summa. Theol.* I. 2, qu. xc, art. 3). But he still insists that human law is *lex quaedam ab hominibus inventa*, which has its legality because of its derivation from the natural law, and that both alike (I. 2, qu. xcvii, art. l.) embody the *dictamen rationis*.

[2] Natural law is not here thought of as an ideal law. It will not, therefore, be correct to say with Bakunin (*God and the State*, 1893, p. 17) that the liberty of man is that "he pays obedience to natural laws, because he himself admits them to be such, and not because they have been imposed upon him from without by any other will, whether divine or human, collective or individual". Rather we must say with Comte that, so far as sociological law is concerned, "there is no such thing as liberty of conscience", any more than there is liberty to disagree with the findings of astronomy—*so far as verified* (*Early Essays*, ed. Routledge, p. 97).

[3] J. A. Hobson: *Free Thought in the Social Sciences*, 1926.

At present law rather resembles the order of a military commander than the prescriptions of a social physician reconciling, by the study of political methods, the psychological needs of the individual and the conditions of social life established by our civilization. The ills, however, of human nature and of social life will be cured neither by dragooning nor by incantations, but by the skilful diagnostician who understands at once the general principles and the particular facts. The needs of the age are for agencies for the scientific examination of social facts and political structure; for the rationalization of political methods; and for the recognition by the individual of how he may assist in controlling political relations and their institutional mechanism, as means, in such a way as intelligently to further the realization of his own true social interests, as ends. Such needs require, if they are to be satisfied, public devotion, personal energy, and a sound and unsentimental comprehension of the principles of positive political science, which must always provide the permanent basis of sound political construction. Nor, despite its unsentimentality, can any study be of more dramatic force than the study of the pursuit of liberty, from its first manifestations in the earliest stirrings of the limbs of an unborn child to its perfect expression in the harmony of a cooperative community, and the study of the desire for protection, whether assured by the mother or by society.

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[1] Inge: *Address to the Royal College of Physicians*, November 19, 1926. Cf. G. Santayana: *Dialogues in Limbo*, p. 144: "The discord between man and nature would be wholly resolved if man would practice the true arts of medicine and politics." From the time of Plato on, the minds of political philosophers seem to have recurred to this comparison between medicine and politics; cf. Thomas Aquinas: *De Regimine Principum*, I, ch. xiv. The approval, however, of the philosophers seems to have affected singularly little the politicians' methods of approach to the subject. Slowly, however, popular opinion is beginning to shift round to regarding the task of government as that of social service for the solution of social problems, rather than that of the press-gang or recruiting sergeant, the tax-gatherer and the police—necessary although these officials may be.

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